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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

36° VICTORIÆ, 1873.

VOL. CCXV.

COMPRISING THE PERIOD FROM

THE TWENTY-FOURTH DAY OF MARCH 1873,

TO

THE FIFTEENTH DAY OF MAY 1873.

Second Volume of the Session.

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TABLE OF CONTENTS

TO

VOLUME CCXV.

THIRD SERIES.

LORDS, MONDAY, MARCH 24.

Page

Bastardy Laws Amendment Bill (No. 29)—

Moved, "That the House do resolve itself into Committee,"—(*The Earl of Shaftesbury*) 1

After short debate, Motion *agreed to*:—House in Committee:—Bill *reported,* without Amendment:—Amendments made:—Bill *re-committed* to a Committee of the Whole House on *Thursday* next; and to be *printed,* as amended. (No. 44.)

Custody of Infants Bill (No. 38)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chelmsford*) .. 4

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

Supreme Court of Judicature Bill (No. 14)—

Moved, "That the House be now put into a Committee on the said Bill," —(*The Lord Chancellor*) 6

After short debate, Motion *agreed to*:—House in Committee:—Bill *reported,* without Amendment:—Amendments made:—Bill *re-committed* to a Committee of the Whole House on *Tuesday* the 1*st of April* next; and to be *printed,* as amended. (No. 45.)

COMMONS, MONDAY, MARCH 24.

Parliament—Business of the House—Observations, Mr. Gladstone .. 7

Board of Trade — Portpatrick Harbour — Question, Mr. Agnew; Answer, Mr. Chichester Fortescue 8

Hampton Court Green—Question, Sir Charles W. Dilke; Answer, Mr. Ayrton 8

Juries Acts (Ireland)—Questions, Mr. Vance, Lord Claud John Hamilton; Answers, The Marquess of Hartington 9

Mercantile Marine — The "Hindoo" and "Parga"—Questions, Mr. Plimsoll, Sir John Pakington; Answers, Mr. Chichester Fortescue .. 10

Ireland—Civil Service—Reports of the Commissioners—Question, Mr. Plunket; Answer, The Chancellor of the Exchequer 11

Post Office — Newspapers — Question, Mr. M'Mahon; Answer, Mr. Monsell 12

[*March* 24.] Page

ARMY (INDIA)—SUPPLY OF BREECHLOADERS—Question, Lord Eustace Cecil; Answer, Mr. Grant Duff 12

NAVY—ARMY RELIEFS—NORTH AMERICA AND THE WEST INDIES—Question, Major Arbuthnot; Answer, Mr. Goschen 13

ARMY—MILITIA ADJUTANTS (IRELAND)—Question, Lord Claud Hamilton; Answer, Mr. Cardwell 14

ELEMENTARY EDUCATION ACT, 1870—Question, Mr. Dixon; Answer, Mr. Mr. W. E. Forster 14

LAW OFFICERS OF THE CROWN—THE ATTORNEY GENERAL — Question, Mr. Raikes; Answer, The Chancellor of the Exchequer 14

FRANCE—TREATY OF COMMERCE, 1860—Question, Mr. Bowring; Answer, Viscount Enfield 15

IRELAND — GALWAY MAGISTRACY — CASE OF MR. DICKSON — Question, Colonel Cole; Answer, The Marquess of Hartington 15

UNITED STATES—THE GENEVA AWARD—Question, Mr. Vernon Harcourt; Answer, Mr. Gladstone 17

LOCAL GOVERNMENT BOARD—INSPECTORS AND HEALTH OFFICERS—Question, Mr. Corrance; Answer, Mr. Stansfeld 18

LOCAL TAXATION—EXEMPTION OF REAL PROPERTY — Questions, Sir John St. Aubyn, Sir Massey Lopes; Answers, Mr. Stansfeld .. 18

EGYPT—SIR SAMUEL BAKER—Question, Lord Ronald Gower; Answer, Viscount Enfield 19

THE NAVY ESTIMATES—Postponement of Motions 20

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

NAVY—HALF PAY OF OFFICERS—Observations, Sir James Elphinstone; Reply, Mr. Goschen:—Short debate thereon 20

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—NAVY ESTIMATES.

(In the Committee.)

(1.) 60,000 Men and Boys, Sea and Coast Guard Services, including 14,000 Royal Marines.

Statement of The First Lord of the Admiralty 32

After long debate, Vote *agreed to.*

(2.) £2,629,884, Wages, &c.

Resolutions to be reported *To-morrow.*

SUPPLY—TELEGRAPH DEPARTMENT—Explanation, Mr. Sclater-Booth .. 88

Resolutions [March 21] *reported,* and *agreed to.*

Salmon Fisheries Commissioners Bill [Bill 85]—

Order for Third Reading read 88

After short debate, Bill read the third time, and *passed.*

METROPOLITAN TRAMWAYS PROVISIONAL ORDERS BILL—

Order [7th March] that the Metropolitan Tramways Provisional Orders Bill be committed to a Select Committee read, and *discharged.*

Select Committee *appointed,* "to consider the schemes contained in the Metropolitan Tramways Provisional Orders Bill of this Session, and to report whether, in their opinion, it is desirable that all or any of the proposed lines of Tramways should be constructed within the Metropolitan area under the jurisdiction respectively of the Corporation of the City of London and the Metropolitan Board of Works,"—(*Mr. Arthur Peel.*)

And, on March 28, Committee *nominated*:—List of the Committee 90

Ways and Means—Consolidated Fund (£9,317,346 19s. 9d.) Bill—Resolutions [March 21] *reported,* and *agreed to*:—Bill *ordered* (*Mr. Bonham-Carter, Mr. Baxter, Mr. William Henry Gladstone*); *presented,* and read the first time 90

TABLE OF CONTENTS.

LORDS, TUESDAY, MARCH 25.

Page

The Easter Recess—Question, The Duke of Richmond; Answer, Earl Granville 91

Marriages (Ireland) Bill (No. 40)—
Moved, "That the Bill be now read 2ª,"—(*The Viscount Midleton*) .. 91
After short debate, Motion *agreed to*:—Bill read 2ª accordingly.

Mercantile Marine—Royal Commission—Question, Observations, The Earl of Lauderdale; Reply, Earl Cowper:—Short debate thereon .. 94

COMMONS, TUESDAY, MARCH 25.

Marriage Law—Question, Mr. Salt; Answer, Mr. Bruce 99
India—Banda and Kirwee Prize Money—Question, Mr. T. Hughes; Answer, Mr. Grant Duff 99
The Magistracy—Leamington—Question, Lieutenant-Colonel Parker; Answer, Mr. Bruce 100
The Treasury and the Post Office—Alleged Misappropriation of Funds—Question, Mr. Fawcett; Answer, Mr. Gladstone .. 101
The Civil Service—Examinations—Question, Mr. O'Reilly; Answer, The Chancellor of the Exchequer 101
Mercantile Marine—Unseaworthy Ships—Questions, Mr. Kavanagh, Mr. R. W. Duff, Mr. Hambro, Mr. Liddell; Answers, Mr. Chichester Fortescue, Mr. Bruce 102
Public Prosecutors Bill—Question, Mr. Eykyn; Answer, Mr. Bruce .. 104
Municipal Corporations (Borough Funds) Act—Question, Mr. Rathbone; Answer, Mr. Bruce 105
Parliament—Order—Rules of Debate—Loss of the "Sea Queen"—Question, Mr. Melly; Answer, Mr. Chichester Fortescue .. 105
Army—The Militia—Question, Mr. Wingfield Baker; Answer, Mr. Cardwell 110
Transit of Venus—Question, Sir John Lubbock; Answer, Mr. Goschen 110
Juries (Ireland)—Precedence of Motions—Question, Mr. Bruen; Answer, Mr. W. H. Smith 111

Currency—The Bank Act—Resolution—
Moved, "That, in the opinion of this House, the present system of Currency is dangerous to the commerce of the Country, and that some change is necessary to prevent such extreme fluctuations in the discount rate as have been frequent since the passing of the Bank Act of 1844, and that an humble Address be presented to Her Majesty, praying that She will be pleased to issue a Royal Commission to inquire into the means of remedy for the evils complained of,"—(*Mr. Anderson*) 111
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the operation of the Bank Act of 1844, and of the Bank Acts for Ireland and Scotland of 1845,"—(*Sir John Lubbock*,)—instead thereof 135
Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment and Motion, by leave, *withdrawn*.

Income Tax—Motion for a Select Committee—
Notice of Motion,
"That a Select Committee be appointed to inquire into the incidence, management, and collection of the Income Tax; with power to report on the amendments required, or the advisability of repealing the Tax,"—(*Mr. Chadwick*) .. 157
[House counted out.]

COMMONS, WEDNESDAY, MARCH 26.

Page

Burials Bill [Bill 9]—

Moved, "That the Bill be now read a second time,"—(*Mr. Osborne Morgan*) 158

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Disraeli.*)

After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 280, Noes 217; Majority 63:—Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Friday.*

Division List, Ayes and Noes 213

Marine Mutiny Bill—*Ordered* (*Mr. Bonham-Carter, Mr. Goschen, Mr. Shaw Lefevre*) 217

East India Company's Stock (Redemption of Dividend) Bill—Resolution [March 24] *reported*, and *agreed to:*—Bill *ordered* (*Mr. Grant Duff, Mr. Ayrton*); *presented*, and read the first time [Bill 102] 217

East India (Loan) Bill—Resolution [March 24] *reported*, and *agreed to:*—Bill *ordered* (*Mr. Grant Duff, Mr. Ayrton*); *presented*, and read the first time [Bill 103] .. 217

Matrimonial Causes Acts Amendment Bill—*Ordered* (*Mr. Attorney General, Mr. Solicitor General*); *presented*, and read the first time [Bill 101] 218

Rock of Cashel Bill—*Ordered* (*Mr. Heron, Sir John Esmonde, Sir Colman O'Loghlen, Colonel White, Sir John Gray*); *presented*, and read the first time [Bill 104] .. 218

LORDS, THURSDAY, MARCH 27.

Registration of Births and Deaths Bill [H.L.]—*Presented* (*The Earl of Morley*); read 1ª (No. 49) 218

Their Lordships met;—and having gone through the Business on the Paper, without debate— [House adjourned.]

COMMONS, THURSDAY, MARCH 27.

SPAIN—Question, Mr. P. A. Taylor; Answer, Viscount Enfield .. 219

THE SANDWICH ISLANDS—Question, Mr. Salt; Answer, Viscount Enfield .. 219

TRADES UNIONS—THE AMALGAMATED SOCIETY OF ENGINEERS—Question, Mr. Headlam; Answer, The Attorney General 220

METROPOLIS—THE PRICE OF GAS—Question, Sir Charles W. Dilke; Answer, Mr. Chichester Fortescue 221

ARMY—CHELSEA HOSPITAL PENSIONERS—Question, Sir Lawrence Palk; Answer, Mr. Cardwell 221

SPAIN—SALE AND PURCHASE OF ARMS—Question, Captain Dawson-Damer; Answer, Viscount Enfield 222

INDIA—BANDA AND KIRWEE PRIZE MONEY—Question, Lord Elcho; Answer, Mr. Grant Duff 222

MERCANTILE MARINE—THE "DRUID"—Question, Mr. Hambro; Answer, Mr. Chichester Fortescue 223

SCOTLAND—DUMFRIES—THE ESTATE OF HANNAHFIELD—GRANT BY THE CROWN—Question, Lord Claud John Hamilton; Answer, Mr. Baxter 224

MERCANTILE MARINE—THE "KNIGHT TEMPLAR"—EXPLANATION—Question, Mr. Rathbone; Answer, Mr. Chichester Fortescue 225

PARLIAMENT—ORDER OF BUSINESS—NAVY ESTIMATES—Question, Lord Henry Lennox; Answer, Mr. Goschen 225

Moved, "That the Orders of the Day be postponed until after the first seven Notices of Motion,"—(*Mr. Gladstone.*)

After short debate, Motion *agreed to.*

PARLIAMENT—BUSINESS OF THE HOUSE—MOTION FOR A SELECT COMMITTEE—
Moved, "That a Select Committee be appointed to consider the time of the day at which the House should assemble, the hours during which the House can most conveniently sit for the transaction of Public Business, when the Business introduced by Her Majesty's Ministers should have precedence, and what Notice should be given of any proposal to alter the time at which the House will assemble, or the distribution of Business,"—(*Mr. Newdegate*) 227
After debate, Motion, by leave, *withdrawn.*

MERCHANT SHIPPING ACT—RULES OF THE ROAD AT SEA—RESOLUTION—
Moved, "That, in the opinion of this House, other regulations are required, with a view to the better avoidance of the annual great loss of life and of property which is caused by the want of more stringent regulations on the subject,"—(*Mr. Bentinck*) .. 248
After debate, Question put, and *negatived.*

PARKS REGULATION ACT—MEETINGS IN THE PARKS—RESOLUTION—
Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that rules be drawn up for the more effectual protection of Her Majesty's subjects while availing themselves of the privilege accorded them of using the Royal Parks for purposes of recreation by prohibiting the delivery of public addresses in such parks,"—(*Mr. James Lowther*) 260
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "this House approves of the Rules lately issued by Her Majesty's Government for the Regulation of the Royal Parks, and is of opinion that no alteration affecting the existing rights of public meeting therein should be made unless previously approved by Parliament,"—(*Mr. Auberon Herbert*,)—instead thereof. .. 271
Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 142, Noes 46; Majority 96.
After further short debate, Main Question put, and *negatived.*

ARMY—EASTER MONDAY REVIEWS—Observations, Questions, Lord Elcho, Mr. Charley; Reply, Mr. Cardwell 289

Register for Parliamentary and Municipal Electors Bill—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Attorney General*) 292
Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Pell*,)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Motion made, and Question put, "That the Debate be now adjourned,"—(*Colonel Bartlelot*:)—The House *divided*; Ayes 45, Noes 64; Majority 19.
Original Question again proposed:—Amendment, by leave, *withdrawn.*
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*
Bill *considered* in Committee, and *reported;* to be *printed*, as amended [Bill 105]; *re-committed* for *Monday* next.

Australasian Colonies (Customs Duties) Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 106] 293

Conveyancing (Scotland) Bill—*Ordered* (*Mr. Secretary Bruce, The Lord Advocate, Mr. Winterbotham*); *presented*, and read the first time [Bill 108] 293

Metropolitan Commons Supplemental Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 107] 293

LORDS, FRIDAY, MARCH 28.

INVESTMENT OF CAPITAL IN LAND—MOTION FOR A SELECT COMMITTEE—
Motion, "That a Select Committee be appointed to inquire into the facilities afforded by the existing law for the investment of capital in the improvement of land, and to report whether any alteration of the law is requisite in order further to encourage such investment,"—(*The Marquess of Salisbury*) 294
After short debate, Motion *postponed.*

TABLE OF CONTENTS.

COMMONS, FRIDAY, MARCH 28.

Page

Diplomatic and Consular Committee—Pensions to Consuls—Question, Mr. Baillie Cochrane; Answer, Viscount Enfield 295

Court of Rome—Religious Corporations—Question, Mr. Muntz; Answer, Viscount Enfield 295

Prison Ministers Committee, 1870—Questions, Sir John Trelawny, Mr. Clare Read; Answers, Mr. Gladstone 296

The Suez Canal—Increase of Dues—Question, Mr. Denison; Answer, Viscount Enfield 297

Army—The Volunteers—The Easter Monday Review—Questions, Mr. Charley; Answers, Mr. Cardwell 298

Mercantile Marine—The Royal Commission—Question, Mr. Plimsoll; Answer, Mr. Chichester Fortescue 298

Merchant Shipping Act—Case of the "Maggie"—Question, Mr. R. W. Duff; Answer, Mr. Chichester Fortescue 299

University Tests (Dublin) Bill [Bill 12]—

Material Alterations in Bill—Rules of the House—

Question, Observations, Mr. Callan; Reply, Mr. Fawcett .. 300

Mr. Speaker declares the Rules of the House in respect of material alterations of a Bill after presentation 303

Question, "That the Order of the Day for the Second Reading of the Bill on Wednesday next be read and discharged," put, and *agreed to.*

Order read, and *discharged*:—Bill *withdrawn.*

Moved, "That leave be given to present another Bill instead thereof,"—(*Mr. Fawcett.*)

After short debate, *Moved,* "That the debate be now adjourned,"—(*Mr. Downing.*)

After further short debate, Motion put, and *negatived.*

Original Question put, and *agreed to.*

University Tests (Dublin) (No 2) Bill—

Bill "to abolish Tests and alter the Constitution of the Governing Body in Trinity College and the University of Dublin," *presented* accordingly; read the first time; to be read a second time upon *Wednesday* next, and to be *printed.* [Bill 109] 309

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Election of Representative Peers (Scotland and Ireland)—Observations, Mr. Stapleton; Reply, Mr. Gladstone 310

Juries (Ireland) Act—Motion for a Select Committee—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the operation of the Act 34 and 35 Vic. c. 65, Juries (Ireland) Act, and whether it is necessary to amend the same in order to secure the due administration of justice,"—(*Mr. Bruen,*)—instead thereof 315

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee.

(In the Committee.)

£136,000, on account, for the Post Office Telegraph Service.

Resolution to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

[*March* 28.] Page

JURIES ACT (IRELAND) 1871—

Returns *ordered*, "for each county, county of a city, and county of a town in Ireland, of all applications which have been made at the late Spring Assizes by any County Officers or Poor Rate Collectors, for repayment of expenses incurred by them, and for remuneration, under the Act 34 and 35 Vic. c. 65."

"Of all Presentments made for such expenses and remuneration."

"Of all Resolutions passed by Grand Juries relative thereto."

"And, for each Poor Law Union in Ireland, of all allowances made out of the rates by the Guardians, and approved of by the Local Government Board, to Clerks of Unions for expenses and remuneration under the above named Act,"—(*Mr. Bruen.*)

LORDS, SATURDAY, MARCH 29.

Their Lordships met;—and the Royal Assent having been given by Commission to the (£9,317,346 19*s.* 9*d.*) Consolidated Fund Bill [36 *Vict.*, c. 3]; Victoria Embankment (Somerset House) Bill [36 *Vict.* c. 4]; Epping Forest Bill [36 *Vict.* c. 5]; Drainage and Improvement of Lands (Ireland) Provisional Orders Bill [36 *Vict.* c. ii.].

[House adjourned.]

COMMONS, SATURDAY, MARCH 29.

The House met;—*Royal Assent* to,—(£9,317,346 19*s.* 9*d.*) Consolidated Fund Bill, Victoria Embankment (Somerset House) Bill, Epping Forest Bill, and Drainage and Improvement of Lands (Ireland) Provisional Orders Bill, *reported.*

LORDS, MONDAY, MARCH 31.

ALDERNEY (HARBOUR AND FORTIFICATIONS)—REPORT OF THE SELECT COMMITTEE—Observations, The Duke of Somerset; Reply, Viscount Halifax 331

NAVY—H.M.S. "DEVASTATION"—Question, Observations, The Earl of Lauderdale; Reply, The Earl of Camperdown:—Short debate thereon 332

COMMONS, MONDAY, MARCH 31.

THE "MURILLO"—Question, Mr. T. E. Smith; Answer, Viscount Enfield 343

SUEZ CANAL—INCREASE OF DUES—Question, Mr. Baillie Cochrane; Answer, Viscount Enfield 344

POST OFFICE—TELEGRAPH ACT, 1869—COMPENSATIONS—Question, Mr. W. Fowler; Answer, Mr. Monsell 345

CIVIL SERVICE EXAMINATION — PUBLIC DEPARTMENTS — Question, The O'Conor Don; Answer, The Chancellor of the Exchequer .. 345

CIVIL SERVICE (IRELAND)—REPORTS OF THE COMMISSIONERS—Question, The O'Conor Don; Answer, The Chancellor of the Exchequer .. 345

NAVY—SYSTEM OF NAVIGATION—Question, Mr. Hanbury-Tracy; Answer, Mr. Goschen 346

THE FIJI ISLANDS—CONSUL MARCH — Question, Mr. Dixon; Answer, Viscount Enfield 347

SUGAR DUTIES—INTERNATIONAL CONFERENCE, 1864—Question, Mr. Grieve; Answer, The Chancellor of the Exchequer 347

IRELAND—THE RIVER SHANNON—Question, Major Trench; Answer, The Chancellor of the Exchequer 348

EDUCATION DEPARTMENT—THE NEW CODE, 1873—Questions, Mr. J. G. Talbot, Lord Edmond Fitzmaurice; Answers, Mr. W. E. Forster .. 348

Railway and Canal Traffic Bill [Bill 34]— 349

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair" 349

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Joshua Fielden,*)—instead thereof.

[*March* 31.] Page

Railway and Canal Traffic Bill—continued.
After debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*
Bill *considered* in Committee.
After short time spent therein, Committee report Progress; to sit again *To-morrow.*

SUPPLY—Resolution [March 28] *reported.*
ARMY—AUTUMN MANŒUVRES—Question, Mr. Sclater-Booth; Answer, Sir Henry Storks 388
Resolution *agreed to.*

Mutiny Bill—
Order for Third Reading read.
Observations, Colonel North; Reply, Mr. Cardwell 389
Bill read the third time, and *passed.*

JURIES (IRELAND)—
Select Committee *appointed,* "to inquire and report on the working of the Irish Jury system before and since the passing of the Act 34 and 35 Vic. c. 65; and, whether any and what amendments in the Law are necessary to secure the due administration of justice,"—(*Mr. Bruen.*)
And, on April 2, Committee *nominated*:—List of the Committee .. 390

Building Societies Bill—*Ordered* (*Mr. Cross, Mr. Gourley, Mr. Walpole, Mr. Gregory, Mr. Torrens, Mr. Dodds*); *presented,* and read the first time [Bill 109] .. 390

Gretton Chapel Marriages Legalization Bill—*Ordered* (*Mr. Yorke, Mr. Monk*); *presented,* and read the first time [Bill 110] 390

Land Rights and Conveyancing (Scotland) Bill—*Ordered* (*Mr. Gordon, Mr. Charles Dalrymple, Sir Graham Montgomery*) 390

LORDS, TUESDAY, APRIL 1.

Supreme Court of Judicature Bill (No. 45)—
Order of the Day for the House to be put into Committee (on Re-commitment), read 391
After short debate, Order *discharged.*
Moved, "That the Bill be referred to a Select Committee,"—(*The Lord Chancellor*:)—Motion *agreed to*:—Bill referred to a Select Committee.
And, on Friday, April 3, Committee *nominated*:—List of the Committee 397

COMMONS, TUESDAY, APRIL 1.

THE BURIALS ACT—ANCIENT BURIAL-PLACE, PONTEFRACT—Question, The O'Conor Don; Answer, Mr. Bruce 398
ARMY—INDIA—MEDICAL OFFICERS—Question, Sir Thomas Bazley; Answer, Mr. Grant Duff 399
RUSSIA—CENTRAL ASIA—THE KHIVA EXPEDITION—Question, Viscount Mahon; Answer, Viscount Enfield 399
SUPPLY—Question, Mr. Vernon Harcourt; Answer, Mr. Gladstone .. 399
ARMY—THE 10TH HUSSARS—Question, Mr. Anderson; Answer, Mr. Cardwell 400
PROFESSORSHIP OF PASTORAL THEOLOGY, OXFORD—Question, Mr. Auberon Herbert; Answer, Mr. Gladstone 401
EDUCATION DEPARTMENT (SCOTLAND)—EXAMINATION OF TEACHERS—Question, Mr. Gordon; Answer, Mr. W. E. Forster 401

EAST INDIA—(FINANCIAL STATEMENT)—RESOLUTION—

Moved, "That, in the opinion of this House, it is desirable that the Statement of the Financial Affairs of India should be made at a period of the Session when it can be fully discussed,"—(*Mr. Robert Fowler*) 402

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it be an Instruction to the Select Committee on East India Finance to consider and report whether the Indian Financial year which now terminates on the 31st March, should be altered to the year ending on the 31st December, in order that the Secretary of State for India may be enabled to make his Financial Statement to the House before the Easter Recess,"—(*Sir Charles Wingfield*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 89, Noes 130; Majority 41:—Words *added:*—Main Question, as amended, put, and *agreed to.*

VALUATION DEPARTMENT (IRELAND)—RESOLUTION—

Moved, "That the present constitution of the Irish Valuation Department is unsatisfactory, and that it is desirable that an experienced and competent officer be placed at its head,"—(*The O'Conor Don*) 422

After debate, Question put, and *negatived.*

TAXES ON LOCOMOTION—RESOLUTION—

Moved, "That, in the opinion of this House, Taxes on the means of Locomotion are opposed to public policy, and should be repealed at the earliest opportunity,"—(*Mr. Laing*) 433

After debate, Question put, and *negatived.*

SUEZ CANAL—INCREASE OF DUES—RESOLUTION—

Moved, "That, the Commerce of this Country being so deeply interested in the uninterrupted navigation of the Suez Canal, it is desirable that Her Majesty's Government should at once give its adhesion to the judicial reforms in Egypt, suggested and approved of by the Representatives of all the European Powers, by which tribunals will be created for the better administration of justice in Egypt, and the adjudication of differences which may arise between British Shipowners and the administrators of the Suez Canal Company,"—(*Mr. Baillie Cochrane*) 451

After short debate, Motion, by leave, *withdrawn.*

Elementary Education Provisional Order Confirmation (No. 3) Bill—*Ordered* (*Mr. William Edward Forster, Mr. Secretary Bruce*) 466

Shop Hours Regulation Bill—*Ordered* (*Sir John Lubbock, Mr. Thomas Hughes, Mr. Morley, Mr. Mundella*) 466

Shrewsbury School Property Bill — *Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*) 467

Fairs Act (1868) Amendment Bill—*Ordered* (*Mr. Dodds, Mr. Pease, Mr. Clare Read, Mr. Milbank*) 467

Borough Franchise (Ireland) Bill—*Ordered* (*Mr. Callan, Mr. Mitchell Henry, Mr. Downing*) 467

County Franchise (Ireland) Bill—*Ordered* (*Mr. Callan, Mr. Mitchell Henry, Mr. Downing*) 467

Local Taxation Accounts Bill [Bill 16]—

Bill *considered* in Committee 467

[House counted out.]

COMMONS, WEDNESDAY, APRIL 2.

Seduction Laws Amendment Bill [Bill 10]—

Moved, "That the Bill be now read a second time,"—(*Mr. Charley*) .. 468

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Cavendish Bentinck.*)

Question proposed, "That the word 'now' stand part of the Question:" —After debate, Amendment, by leave, *withdrawn:*—Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Tuesday* 20th May.

Metropolis Buildings Act Amendment Bill [Bill 54]—
Moved, "That the Bill be now read a second time,"—(*Dr. Brewer*) .. 483
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Francis Powell.*)
Question proposed, "That the word 'now' stand part of the Question:"—After debate, Amendment and Motion, by leave, *withdrawn*:—Bill *withdrawn.*

University Tests (Dublin) (No. 3) Bill—
Moved, "That this House will immediately resolve itself into a Committee to consider the abolition of Tests in Trinity College and the University of Dublin,"—(*Mr. Fawcett*) 505
Motion *agreed to.*
Moved, "That Mr. Speaker do now leave the Chair,"—(*Mr. Fawcett.*)
And it being after a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

New Zealand Roads, &c. Loan Act (1870) Amendment Bill—*Ordered* (*Mr. Knatchbull-Hugessen, Mr. Baxter*); *presented*, and read the first time [Bill 116] .. 505

Vagrants Law Amendment Bill—*Ordered* (*Mr. Pease, Mr. Wharton*); *presented*, and read the first time [Bill 120] 505

LORDS, THURSDAY, APRIL 3.

IMPROVEMENT OF LAND—MOTION FOR A SELECT COMMITTEE—
Moved, That a Select Committee be appointed to inquire into the facilities afforded by the existing law to limited owners of land for the investment of capital in the improvement of such land, and to report whether any alteration of the law is requisite in order further to encourage such investment,—(*The Marquess of Salisbury*) .. 506
After short debate, Motion *agreed to.*
And, on Friday, April 4, Committee *nominated*:—List of the Committee 517

RAILWAYS AND TELEGRAPHS IN PERSIA—Question, Observations, Lord Strathnairn; Reply, Earl Granville 517

Pollution of Rivers Bill [H.L.]—*Presented* (*The Earl of Shaftesbury*); read 1ª (No. 59) 518

COMMONS, THURSDAY, APRIL 3.

NAVY—CONTRACT PRICES—Question, Sir James Elphinstone; Answer, Mr. Shaw Lefevre 519
NAVY—GREENWICH PENSIONERS—Question, Mr. Stone; Answer, Mr. Goschen 519
COMPULSORY EDUCATION—PRISONS ACT, 1865—Question, Colonel Egerton Leigh; Answer, Mr. Bruce 520
BURIALS—Question, Mr. Charley; Answer, Mr. Bruce 520
FRANCE—THE COMMERCIAL TREATY, 1860—Question, Mr. Raikes; Answer, Viscount Enfield 521
ARMY—YEOMANRY ADJUTANTS—Question, Captain Hood; Answer, Mr. Cardwell 522
THE TREASURY AND THE POST OFFICE—ALLEGED MISAPPROPRIATION OF FUNDS—Question, Mr. Norwood; Answer, The Chancellor of the Exchequer 522
SHERIFFS SUBSTITUTE (SCOTLAND)—Question, Sir David Wedderburn; Answer, The Chancellor of the Exchequer 523
NAVY—GOOD-SERVICE PENSIONS—Question, Admiral Erskine; Answer, Mr. Goschen 524
PUBLIC HEALTH ACT, 1872—POOR LAW INSPECTORS—Question, Dr. Lush; Answer, Mr. Stansfeld 524
THE DOG LICENCE—Question, Mr. Ridley; Answer, The Chancellor of the Exchequer 525

TABLE OF CONTENTS.

[*April* 3.] Page

BOARD OF WORKS (IRELAND)—Question, Mr. M'Carthy Downing; Answer, Mr. Baxter 526
CIVIL SERVICE (IRELAND)—REPORTS OF THE COMMISSIONERS—Question, Mr. M'Carthy Downing; Answer, The Marquess of Hartington .. 526
SUGAR DUTIES—INTERNATIONAL CONFERENCE, 1864—Question, Mr. Grieve; Answer, The Chancellor of the Exchequer 527
CRIMINAL LAW—CASE OF ANN MURRAY—Question, Mr. W. Lowther; Answer, Mr. Bruce 528
FRANCE—THE COMMERCIAL TREATY, 1860—Question, Mr. Eaton; Answer, Mr. Gladstone 528
IRELAND—DUBLIN UNIVERSITY—THE 10 GEO. IV. CHAP. 7—Question, Mr. P. J. Smyth; Answer, The Attorney General 529
RUSSIA—THE CRIMEAN CEMETERIES—Question, Mr. Heygate; Answer, Mr. Gladstone 529
JURY LIST ALLOWANCES — MAGISTRATES' CLERKS — Question, Colonel Brise; Answer, Mr. Stansfeld 530

PARLIAMENT—BREACH OF PRIVILEGE—THE "PALL MALL GAZETTE"—
Mr. MUNSTER having complained of a certain writing in *The Pall Mall Gazette* as reflecting on certain Members of this House, and delivering in a copy of the said journal, a paragraph was read therefrom—Then it was—
Moved, "That the said article contains libellous reflections upon certain Members of this House in breach of the Privileges of this House,"—(*Mr. Munster*) 530
After debate, Motion, by leave, *withdrawn*.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—
THE NAVAL RESERVE—MOTION FOR A SELECT COMMITTEE—
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the condition of the Naval Reserves,"—(*Mr. Brassey*,)—instead thereof 542
Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn*.
NAVY—H.M.S. "DEVASTATION"—Observations, Lord Henry Lennox; Reply, Mr. Goschen:—Debate thereon 567
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY—*considered* in Committee—NAVY ESTIMATES.
(In the Committee.)
Motion made, and Question proposed, "That a sum, not exceeding £1,035,719, be granted to Her Majesty, to defray the Expenses of Victuals and Clothing for Seamen and Marines, which will come in course of payment during the year ending on the 31st day of March 1874" 590
Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Goschen*:)—Question put, and *agreed to*.
Committee report Progress; to sit again *To-morrow*.

Railway and Canal Traffic Bill [Bill 34]—
Bill *considered* in Committee [*Progress 31st March*] 590
Amendments made:—Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed*. [Bill 121.]

University Tests (Dublin) (No. 3) Bill—
Adjourned Debate on Question [2nd April], "That Mr. Speaker do now leave the Chair," for Committee to consider the abolition of Tests in Trinity College and the University of Dublin:—Question again proposed:—Debate *resumed* .. 598
Question put, and *agreed to*:—Matter *considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. Fawcett, Dr. Lyon Playfair, Mr. Plunket, Viscount Crichton*); *presented*, and read the first time [Bill 124.]

Gas and Water Provisional Orders Bill—*Ordered* (*Mr. Arthur Peel, Mr. Chichester Fortescue*); *presented*, and read the first time [Bill 126]. 598

LORDS, FRIDAY, APRIL 4.

Page

Bastardy Laws Amendment Bill (No. 60)—
Commons' Amendments to Lords Amendments and Reasons *considered* .. 599
Debate arising; the further debate adjourned to *Monday* the 21*st instant;* and Bill, with the Amendments, to be *printed.* (No. 63.)

COMMONS, FRIDAY, APRIL 4.

France—Passports—Question, Sir David Wedderburn; Answer, Viscount Enfield 602
Army—Troop Horses (India)—Question, Sir Charles Wingfield; Answer, Mr. Grant Duff 603
Slave Trade at Zanzibar—Question, Sir Charles Wingfield; Answer, Viscount Enfield 603
Post Office Savings Bank Account—Question, Mr. W. H. Smith; Answer, Mr. Monsell 604
Juries (Ireland) Act, 1871—Nomination of the Committee—Question, Mr. Callan; Answer, The Marquess of Hartington 604
Mercantile Marine—The Straits of Magellan—Question, Mr. Muntz; Answer, Mr. Goschen 605
Suez Canal—Augmentation of Dues—Personal Explanation, Mr. Baillie Cochrane 606

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Communication with India—Euphrates Valley Railway—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the evidence laid before the Select Committee on the Euphrates Valley Railway last Session demonstrates the great advantages, both politically and commercially, that would accrue to England by the acquisition of an alternative route to and from India, especially in case of any emergency arising, and that this object would be best secured by a Railway which would connect the Mediterranean with the head of the Persian Gulf; and, therefore, the Recommendation of the Select Committee on this subject to Her Majesty's Government is well deserving of their serious attention, with a view to carrying it into effect," —(*Sir George Jenkinson,*)—instead thereof 606

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 103, Noes 29; Majority 74.

Question again proposed, "That Mr. Speaker do now leave the Chair:"—

Spain—Assault on Mr. Henry Diedrich Jencken—Motion for an Address—

Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to be graciously pleased to direct Her Principal Secretary of State for Foreign Affairs to enter into communication with the Spanish Government with the view to obtaining compensation for Mr. H. D. Jencken, on account of the injuries received by him at the hands of the populace at Lorca in 1869,"—(*Mr. Serjeant Simon*) 628

[House counted out.]

COMMONS, MONDAY, APRIL 7.

Spain—Subscriptions for the Carlists—International Law—Question, Mr. Stapleton; Answer, Mr. Gladstone 633
Parliament—Public Business after Easter—Question, Mr. Dixon; Answer, Mr. Gladstone 634
Elementary Education Act—School Board Elections—Question, Mr. Akroyd; Answer, Mr. W. E. Forster 635
Patent Rights—International Conference—Question, Mr. Macfie; Answer, Viscount Enfield 636
France—The Commercial Treaty, 1872—Question, Mr. Macfie; Answer, Viscount Enfield 636

[*April* 7.] *Page*

India—Railway Gauge—Question, Sir Charles Wingfield; Answer, Mr. Grant Duff 637

Mercantile Marine—Unseaworthy Ships—The "Sea Queen"—Question, Mr. Plimsoll; Answer, Mr. Chichester Fortescue 637

Merchant Shipping Act—The "Eleanor"—Mr. Plimsoll and the Board of Trade—Question, Mr. Plimsoll; Answer, Mr. Chichester Fortescue 639

Metropolitan Police—Constable Goodchild—Question, Mr. Auberon Herbert; Answer, Mr. Winterbotham 643

Landlord and Tenant Bill—Observations, Question, Lord Elcho; Reply, Mr. Clare Read 644

Post Office—Expenditure for Telegraph Extensions—Question, Mr. Rylands; Answer, Mr. Monsell 645

Rates for Church Repairs, &c. (Scotland)—Question, Mr. M'Laren; Answer, The Lord Advocate 645

India—The Kirwee Prize Money—Question, Colonel North; Answer, Mr. Grant Duff 646

Post Office—The Book Post—Question, Mr. M'Mahon; Answer, Mr. Monsell 647

Office of Master of the Rolls—Question, Sir David Wedderburn; Answer, Mr. Gladstone 647

Merchant Shipping Act—Wreck of the "Atlantic"—Question, Mr. Crawford; Answer, Mr. Chichester Fortescue 647

Palace of Westminster—Decoration of the Central Hall—Question, Mr. Osborne; Answer, Mr. Ayrton 648

Education (Scotland) Act—Teachers—Question, Mr. Gordon; Answer, Mr. W. E. Forster 649

Merchant Shipping Act—The "Maggie"—Question, Mr. Macfie; Answer, Mr. Winterbotham 649

Ireland—Belfast Assizes—Case of Mr. M'Aleese—Question, Sir John Gray; Answer, Mr. Winterbotham 650

Parliament—The Easter Vacation—Adjournment of the House—*Moved*, "That the House, at its rising, do adjourn until Monday, the 21st April,"—(*Mr. Gladstone*) 650

After short debate, Motion *agreed to*.

WAYS AND MEANS—The Financial Statement—

Ways and Means—*considered* in Committee 654

(In the Committee.)

Financial Statement of *The Chancellor of the Exchequer* on moving the First Resolution,

"That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-three, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):

For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Three Pence;

And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,

For every Twenty Shillings of the annual value thereof;

In England, the Rate or Duty of One Penny Halfpenny; and

In Scotland and Ireland respectively, the Rate or Duty of One Penny Farthing;

Subject to the provisions contained in section twelve of the Act of thirty-fifth and thirty-sixth Victoria, chapter twenty, for the exemption of Persons whose whole Income from every source is under One Hundred Pounds a-year, and relief of those whose Income is under Three Hundred Pounds a-year"

After long debate, Resolution *agreed to*.

Other Resolutions *moved*, and *agreed to*; to be reported upon *Thursday*, 24th April; Committee to sit again upon *Monday*, 21st April.

[*April* 7.] Page

Register for Parliamentary and Municipal Electors (*re-committed*) **Bill** [Bill 66]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair" 713

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Charles Lewis,*)—instead thereof.

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 110, Noes 38; Majority 72.

Question again proposed:—*Moved,* "That the Debate be now adjourned,"—(*Mr. Greene:*)—After further short debate, Motion, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

Committee report Progress; to sit again upon *Monday,* 21st April.

Railway and Canal Traffic Bill [Bill 121]—

Order for Consideration, as amended, read 719

Moved, "That the Bill be now taken into Consideration:"—The House *divided;* Ayes 103, Noes 23; Majority 80.

Bill, as amended, *considered.*

Bill to be read the third time upon *Monday,* 21st April.

Medical Act (1858) Amendment Bill—*Ordered* (*Mr. Headlam, Sir Henry Selwin-Ibbetson*); *presented,* and read the first time [Bill 127] 721

Metalliferous Mines Rating Bill—*Ordered* (*Sir John St. Aubyn, Mr. Brydges Willyams, Mr. Arthur P. Vivian, Mr. Pease*); *presented,* and read the first time [Bill 128] 721

Stipendiary Magistrates (Scotland) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Bruce, Mr. Adam*); *presented,* and read the first time [Bill 129] 721

Entailed and Settled Estates (Scotland) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Bruce, Mr. Adam*); *presented,* and read the first time [Bill 130] .. 721

LORDS, MONDAY, APRIL 21.

Mutiny Bill—

Order of the Day for the House to be put into Committee read .. 722

After short debate, House in Committee accordingly.

Bill *reported,* without Amendment; and to be read 3ª *To-morrow.*

Marine Mutiny Bill *considered* in Committee, and *reported* without Amendment; and to be read 3ª *To-morrow.*

Bastardy Laws Amendment Bill—

Further Debate on the Motion for consideration of the Commons' Amendments to the Lords' Amendments and Commons' Reasons for disagreeing to some of the Amendments made by the Lords, *resumed* .. 724

Amendments to which the Commons disagree, *not insisted on:*—Commons' Amendments to Lords' Amendments, *agreed to,* with Amendments; consequential Amendments made; and Bill returned to the Commons.

COMMONS, MONDAY, APRIL 21.

East India Company—The East India Stock Dividend Redemption Bill—Question, Mr. Crawford; Answer, Mr. Grant Duff 726

Sanitary Acts—Mineral Works—Question, Mr. Gregory; Answer, Mr. Hibbert 726

University Tests (Dublin) (No. 3) Bill [Bill 124]—

Moved, "That the Bill be now read a second time,"—(*Mr. Fawcett*) .. 727

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House fully recognises the importance of an early settlement of the question of University Education in Ireland, but is of opinion that such legislation could be more satisfactorily entered upon after the House has been put into possession of full information as to the opinions and wishes of the several Academic Bodies existing in Ireland, and of the Irish people generally, especially of the classes practically interested in the question, by means of a Royal Commission, with instructions to take evidence and report before the opening of the next Session of Parliament,"—(*Mr. Mitchell Henry,*)—instead thereof 732

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

(In the Committee.)

(1.) £25,615, to complete the sum for Royal Palaces.

(2.) £83,727, to complete the sum for Royal Parks and Pleasure Gardens.—After short debate, Vote *agreed to* 777

(3.) £128,431, to complete the sum for Maintenance and Repair of Public Buildings.—After short debate, Vote *agreed to* 778

(4.) £12,000, to complete the sum for Furniture, Public Departments.—After short debate, Vote *agreed to* 779

(5.) Motion made, and Question proposed, "That a sum, not exceeding £25,670, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Buildings of the Houses of Parliament" 779

After short debate, Motion made, and Question proposed, "That the Item of £724, for Rent for the Official Residence of the Clerk of the Parliaments, be omitted from the proposed Vote,"—(*Mr. Anderson*:)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed.

Whereupon Motion made, and Question proposed, "That the Item of £724, for Rent, &c. of Official Residence of the Clerk of the Parliaments, be reduced by the sum of £224,"—(*Mr. Muntz.*)

After short debate Question put:—The Committee *divided;* Ayes 56, Noes 85; Majority 29.

Original Question put, and *agreed to.*

After further short debate, Vote *agreed to.*

(6.) £48,000, to complete the sum for New Offices, Downing Street.—After short debate, Vote *agreed to* 785

(7.) £11,840, to complete the sum for Sheriff Courts, Scotland.

(8.) £35,420, to complete the sum for Enlargement of National Gallery.

(9.) £16,500, to complete the sum for New Buildings, Glasgow University.

(10.) £7,700, to complete the sum for the Industrial Museum, Edinburgh.

(11.) £24,162, to complete the sum for Learned Bodies.

(12.) £120,607, to complete the sum for Works and Buildings, Post Office and Land Revenue.—After short debate, Vote *agreed to* 786

(13.) £4,547, to complete the sum for the British Museum Buildings, &c.

(14.) £30,605, to complete the sum for New Buildings for County Courts, &c.

(15.) £16,773, to complete the sum for New Buildings, Department of Science and Art.

(16.) £107,210, to complete the sum for the Survey of the United Kingdom.—After short debate, Vote *agreed to* 786

(17.) £13,547, to complete the sum for Harbours, &c.—After short debate, Vote *agreed to* 787

(18.) £150, to complete the sum for Portland Harbour.

(19.) £7,500, to complete the sum for Fire Brigade in the Metropolis.

(20.) £31,353, to complete the sum for Rates on Government Property.—After short debate, Vote *agreed to* 787

(21.) £3,901, to complete the sum for the Wellington Monument.—After short debate, Vote *agreed to* 788

(22.) £67,000, to complete the sum for the Natural History Museum.—After short debate, Vote *agreed to* 789

(23.) Motion made, and Question proposed, "That a sum, not exceeding £9,010, be granted to Her Majesty, to complete the sum necessary to defray the Charge which

SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

will come in course of payment during the year ending on the 31st day of March 1874, for New Buildings, Maintenance and Repair of Buildings, and other Expenses connected therewith, of the Metropolitan Police Courts" 791

After short debate, Question put:—The Committee *divided;* Ayes 80, Noes 65; Majority 15.

Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £57,800, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Purchase of a Site, Erection of Building, and other Expenses for the New Courts of Justice and Offices belonging thereto" 791

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Baxter* :)—Question put, and *agreed to.*

Resolutions to be reported *To-morrow*; Committee also report Progress; to sit again upon *Wednesday.*

Register for Parliamentary and Municipal Electors (*re-committed*) **Bill** [Bill 105]—

Bill *considered* in Committee [*Progress 7th April*] 793

After short time spent therein, Committee report Progress; to sit again upon *Thursday.*

Oyster and Mussel Fisheries Order Confirmation Bill—*Ordered* (*Mr. Arthur Peel, Mr. Chichester Fortescue*); *presented,* and read the first time [Bill 131] .. 796

Pier and Harbour Orders Confirmation Bill—*Considered* in Committee:—Resolution *agreed to,* and *reported*:—Bill *ordered* (*Mr. Arthur Peel, Mr. Chichester Fortescue*); *presented,* and read the first time [Bill 132] 796

Registration of Trade Marks Bill—*Considered* in Committee:—Resolution *agreed to,* and *reported*:—Bill *ordered* (*Mr. Arthur Peel, Mr. Chichester Fortescue*); *presented,* and read the first time [Bill 133] 796

County Authorities (Loans) Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented,* and read the first time [Bill 134] 797

Superannuation Act Amendment Bill—*Ordered* (*Mr. William Henry Gladstone, Mr. Baxter*); *presented,* and read the first time [Bill 135] 797

LORDS, TUESDAY, APRIL 22.

Their Lordships met;—and having gone through the Business on the Paper, without debate [House adjourned.]

COMMONS, TUESDAY, APRIL 22.

LOCAL TAXATION—Question, Sir Massey Lopes; Answer, Mr. Gladstone .. 798

ARMY—RESERVE FORCES—Question, Colonel C. Lindsay; Answer, Mr. Cardwell 800

MERCHANT SHIPPING ACT—COLLISION BETWEEN THE "C. M. PALMER" AND THE "LARNAX"—Question, Mr. Montagu Chambers; Answer, Mr. Chichester Fortescue 800

WAYS AND MEANS—THE SUGAR DUTIES RESOLUTIONS—Questions, Mr. Hunt; Answers, Mr. Baxter, Mr. Gladstone 801

University Fellowships (Compensation)—

Moved, "That leave be given to bring in a Bill to limit the Compensation awarded on abolition of Fellowships in the Colleges of the Universities of Oxford and Cambridge,"—(*Mr. Auberon Herbert*) 801

After short debate, Question put:—The House *divided;* Ayes 81, Noes 107; Majority 26.

CITY OF LONDON VOLUNTEERS—THE ARTILLERY COMPANY'S DRILL GROUND—RESOLUTION—

Moved, "That Her Majesty's Government be requested to take such steps as they may deem necessary to obtain for the City of London Volunteers the use of the Artillery Ground in Finsbury at such times as it is not required by the Honourable Artillery Company or the City of London Militia,"—(*Sir John Lubbock*) 810

After short debate, Motion, by leave, *withdrawn.*

[*April* 22.]

Page

CENTRAL ASIA—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, That She will be graciously pleased to give directions, that there be laid before this House Copies of Correspondence relating to the Missions to Khiva of Mr. Thompson and Rajib Ali:
"And, of any Despatches in 1862 and 1863 respecting the employment of British Officers with the troops of His Majesty the Shah, and respecting the state of Khurásán at that time,"—(*Mr. Eastwick*) 818

After long debate, Motion, by leave, *withdrawn.*

Fishery Inspectors (Ireland) Bill—*Ordered* (*Mr. Butt, Mr. Callan*); *presented,* and read the first time [Bill 136] 878

COMMONS, WEDNESDAY, APRIL 23.

Canonries Bill [Bill 18]—

Moved, "That the Bill be now read a second time,"—(*Mr. Beresford Hope*) 878

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Friday.*

Locomotives on Roads Bill [Bill 88]—

Moved, "That the Bill be now read a second time,"—(*Mr. Cawley*) .. 883

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Gregory.*)

Question proposed, "That the word 'now' stand part of the Question."

After short debate, Amendment and Motion, by leave, *withdrawn* :—Bill *withdrawn.*

Municipal Franchise (Ireland) Bill [Bill 73]—

Moved, "That the Bill be now read a second time,"—(*Mr. Butt*) .. 889

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for *To-morrow.*

Salmon Fisheries (*re-committed*) **Bill** [Bill 93]—

Bill *considered* in Committee 890

After short time spent therein, Bill *reported* ; as amended, to be considered upon *Tuesday* next.

Local Legislation Bill—*Ordered* (*Mr. Heron, Mr. Serjeant Simon*); *presented,* and read the first time [Bill 137] 891

LORDS, THURSDAY, APRIL 24.

PRIVATE BILLS—

Ordered, That no Private Bill brought from the House of Commons shall be read a second time after *Thursday* the 19*th day of June* next:

That no Bill authorizing any inclosure of lands under special report of the Inclosure Commissioners for England and Wales, or confirming any scheme of the Charity Commissioners for England and Wales, shall be read a second time after *Friday* the 20*th day of June* next:

That no Bill confirming any provisional order shall be read a second time after *Friday* the 20*th day of June* next:

That when a Bill shall have passed this House with amendments these orders shall not apply to any new Bill sent up from the House of Commons which the Chairman of Committees shall report to the House is substantially the same as the Bill so amended.

Marriages (Ireland) Bill (No. 40)—

Order of the Day for the House to be put into Committee, read .. 891

After short debate, House in Committee accordingly.

Amendments made; the Report thereof to be received on *Monday* next; and Bill to be *printed,* as amended. (No. 75.)

Registration of Births and Deaths Bill (No. 49)—

Moved, "That the Bill be now read 2^a,"—(*The Earl of Morley*) .. 892

After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 8*th of May* next.

COMMONS, THURSDAY, APRIL 24.

Spain—International Law—Question, Mr. Stapleton; Answer, Mr. Gladstone 896

The Mastership of the Rolls—Appeal—Question, Mr. Gregory; Answer, Mr. Gladstone 899

Mercantile Marine—The Lifeboat at Balbriggan—Question, Mr. Hambro; Answer, Mr. Chichester Fortescue 900

Post Office—Telegrams to Foreign Countries—Question, Mr. Muntz; Answer, Mr. Monsell 900

Army—Contracts for Gunpowder—Question, Colonel Learmonth; Answer, Sir Henry Storks 901

Army—Insubordination at Sandhurst—Questions, Mr. Trevelyan, Captain Archdall; Answers, Mr. Cardwell 901

Army—The Troop Ship "Serapis"—The Scotch Fusilier Guards—Question, Sir John Pakington; Answer, Mr. Cardwell 902

Post Office—Glasgow Post Office—Question, Mr. Anderson; Answer, Mr. Monsell 903

The Railway and Canal Commissioners' Court — Question, The O'Donoghue; Answer, Mr. Chichester Fortescue 903

India—The Burmese Embassy—Question, Mr. Eastwick; Answer, Mr. Grant Duff 904

Post Office—Postal Arrangements with the Argentine Republic—Question, Mr. W. H. Smith; Answer, Mr. Monsell 904

Ways and Means—Report—

Resolutions [April 7] *reported* 905

Moved, "That the Resolutions be now read a second time."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Brewers' Licence Duty is unfair and oppressive in its operation, and should have been considered by the Government in the remission of Taxation,"—(*Sir Henry Selwin-Ibbetson,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

First Resolution (Income and Property Tax) *agreed to.*

Second, Third, and Fourth Resolutions read a second time, and *re-committed* to the Committee of Ways and Means.

Fifth Resolution (Tea Duty) and Sixth Resolution (£1,600,000 Exchequer Bonds) *agreed to.*

Seventh Resolution (Payment of Exchequer Bonds) read a second time 920

Moved, "That this House doth agree with the Committee in the said Resolution."

Moved, "That the Debate be now adjourned,"—(*Mr. Hermon.*)

After further short debate, Question put, and *negatived.*

Original Question put, and *agreed to.*

Eighth Resolution (Interest of Exchequer Bonds) *agreed to.*

Ways and Means—

Moved, "That the House do now resolve itself into the Committee of Ways and Means" 921

After long debate, Motion *agreed to.*

WAYS AND MEANS—considered in Committee.

(In the Committee.)

Second Resolution (Sugar Duties) moved; and, after debate, by leave, *withdrawn.*

Then it was moved—

(1.) "That, towards raising the Supply granted to Her Majesty, on and after the under-mentioned dates, in lieu of the Duties of Customs now charged on the articles under-mentioned, the following Duties of Customs shall be charged thereon, on importation into Great Britain or Ireland, viz.:

On and after the twenty-eighth day of May, one thousand eight hundred and seventy-three,—

[Then the several articles are set forth.]

Resolution *agreed to.*

Then the Third and Fourth Resolutions being moved were, after debate, by leave, *withdrawn.*

And the following Resolutions were moved and *agreed to* in lieu thereof:—

(2.) "That on and after the eighth day of May, one thousand eight hundred and seventy-three, in lieu of the Drawbacks now allowed thereon, the following Drawbacks shall be paid and allowed on the undermentioned descriptions of Sugar refined in Great Britain or Ireland on the Exportation thereof to Foreign parts, or on removal to the Isle of Man for consumption there, or on deposit in any approved warehouse, upon such terms and subject to such regulations as the Commissioners of Customs may direct for delivery from such warehouse as ship's stores only, or for the purpose of sweetening British Spirits in Bond (that is to say):— .. 957

[Then the several articles are set forth.]

(3.) "That, in lieu of the Duties of Excise now chargeable on Sugars made in the United Kingdom, the following Duties of Excise shall be charged thereon (that is to say):

[Then the several articles are set forth.]

That, on and after the eighth day of May, one thousand eight hundred and seventy-three, in lieu of the Duties of Excise now chargeable upon Sugar used in Brewing, there shall be charged and paid upon every hundredweight, and in proportion for any fractional part of a hundredweight, of all Sugars which shall be used by any Brewer of Beer for sale in the brewing or making of Beer, the Excise Duty of Nine shillings and Six pence.

Resolutions to be reported upon *Monday* next; Committee to sit again *To-morrow.*

Register for Parliamentary and Municipal Electors (*re-committed*) **Bill** [Bill 105]—

Bill *considered* in Committee [*Progress 21st April*] 959

After short time spent therein, Committee report Progress; to sit again *To-morrow.*

Conveyancing (Scotland) Bill [Bill 108]—

Moved, "That the Bill be now read a second time,"—(*The Lord Advocate*) 962

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Local Government Board (Ireland) Provisional Order Confirmation Bill—

Ordered (*The Marquess of Hartington, Mr. Baxter*); *presented,* and read the first time [Bill 139] 965

LORDS, FRIDAY, APRIL 25.

ARTILLERY — FOREIGN BREECH-LOADING GUNS — Question, Observations, The Earl of Lauderdale; Reply, The Marquess of Lansdowne .. 965

Portpatrick Harbour Bill (No. 71)—

Moved, "That the Bill be now read 2ª,"—(*The Marquess of Lansdowne*) .. 969

After short debate, Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

TABLE OF CONTENTS.

COMMONS, FRIDAY, APRIL 25.

Page

AFRICA—WEST COAST SETTLEMENTS—THE ASHANTEE INVASION—Questions, Sir John Hay; Answer, Mr. Knatchbull-Hugessen .. 970

AFRICA (WEST COAST)—LAGOS—Question, Sir Thomas Bazley; Answer, Mr. Knatchbull-Hugessen 971

FISHERIES (IRELAND)—Question, Mr. Butt; Answer, The Marquess of Hartington 972

MERCANTILE MARINE—WRECK OF THE "ATLANTIC"—Question, Sir John Pakington; Answer, Mr. Chichester Fortescue 973

POLICE INTERFERENCE WITH POLITICAL PLACARDS—NOTTINGHAM—Question, Mr. Auberon Herbert; Answer, Mr. Bruce 974

POST OFFICE—TELEGRAPH DEPARTMENT—PURCHASE OF THE MIDLAND RAILWAY SYSTEM—Question, Mr. Plunket; Answer, Mr. Monsell .. 975

IRELAND — PURCHASE OF IRISH RAILWAYS — Question, Mr. Goldsmid; Answer, Lord Claud Hamilton 976

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

GALWAY ELECTION PETITION—TRIAL OF ELECTION PETITIONS—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present system of trying Election Petitions is unsatisfactory and requires alteration,"—(*Mr. O'Conor,*) instead thereof .. 977

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

THE WORKSHOPS ACT—Observations, Resolution, Mr. C. Dalrymple; Reply, Mr. Bruce:—Debate thereon 991

IRELAND—IMPRISONMENT OF MR. M'ALEESE—Observations, Sir John Gray; Reply, The Marquess of Hartington 1001

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

(In the Committee.)

(1.) £7,500, to complete the sum for Works at Anstruther Harbour.—After short debate, Vote *agreed to* 1003
(2.) £763, for Grant in aid of Expenses of Ramsgate Harbour.
(3.) £130,308, to complete the sum for Public Buildings in the Department of Public Works in Ireland.—After short debate, Vote *agreed to* 1004
(4.) £19,560, to complete the sum for Lighthouses Abroad.—After short debate, Vote *agreed to* 1005
(5.) £700, to complete the sum for Maintenance and Repairs of Embassy Houses Abroad.
(6.) £51,863, to complete the sum for British Embassy Houses, &c., Constantinople, China, Japan, and Tehran.—After short debate, Vote *agreed to* .. 1006
(7.) £37,675, to complete the sum for the Offices of the House of Lords.
(8.) £40,482, to complete the sum for the Offices of the House of Commons.—After short debate, Vote *agreed to* 1007
(9.) £46,713, to complete the sum for the Treasury Department.
10.) £77,330, to complete the sum for the Home Department and Subordinate Offices.—After short debate, Vote *agreed to* 1007
(11.) £51,585, to complete the sum for the Foreign Department.
(12.) £26,282, to complete the sum for the Colonial Department.
(13.) £26,075, to complete the sum for the Privy Council and Subordinate Department.
(14.) Motion made, and Question proposed, "That a sum, not exceeding £84,778, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments" 1008

After short debate, Motion made, and Question proposed, "That the Item of £500, for the Salary of the Inspector of Oyster Fisheries, be omitted from the proposed Vote,"—(*Mr. M'Laren.*)

Supply—Civil Service Estimates—Committee—*continued.*

After further short debate, Question put:—The Committee *divided;* Ayes 23, Noes 87; Majority 64.

Original Question put, and *agreed to.*

(15.) Motion made, and Question proposed, "That a sum, not exceeding £16,385, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Expenses of the Charity Commission for England and Wales" 1013

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £15,185, &c.,"—(*Mr. Sclater-Booth*:)—After further short debate, Question put:—The Committee *divided;* Ayes 67, Noes 76; Majority 9.

Original Question put, and *agreed to.*

(16.) £17,421, to complete the sum for the Civil Service Commission.—After short debate, Vote *agreed to* 1015

(17.) £15,354, to complete the sum for the Copyhold, Inclosure, and Tithe Commission.

(18.) £7,150, to complete the sum for Imprest Expenses under the Inclosure and Drainage Acts.

(19.) £36,476, to complete the sum for the Department of the Comptroller and Auditor General of the Exchequer.

(20.) £1,995, to complete the sum for Offices of Registrars of Friendly Societies.

(21.) £46,450, to complete the sum for the Department of the Registrar General of Births, &c. England.—After short debate, Vote *agreed to* 1016

(22.) £339,803, to complete the sum for the Local Government Board.—After short debate, Vote *agreed to* 1017

(23.) £12,335, to complete the sum for the Lunacy Commission.

(24.) £43,850, to complete the sum for the Mint.

(25.) £14,795, to complete the sum for the National Debt Office.

(26.) £23,456, to complete the sum for the Patent Office.—After short debate, Vote *agreed to* 1021

(27.) £21,506, to complete the sum for the Paymaster General's Office.

(28.) £19,081, to complete the sum for the Public Record Office.

(29.) £3,764, to complete the sum for the Public Works Loan and West India Islands Relief Commissioners.

(30.) Motion made, and Question proposed, "That a sum, not exceeding £365,703, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for Stationery, Printing, Binding, and Printed Books for the several Public Departments in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, Printing, and Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office" .. 1022

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £352,703, &c.,"—(*Mr. Callan*:)—Question put, and *negatived.*

Original Question put, and *agreed to.*

(31.) £20,381, to complete the sum for the Office of Woods, Forests, &c.

(32.) £35,072, to complete the sum for the Office of Works and Public Buildings.

(33.) Motion made, and Question proposed, "That a sum, not exceeding £20,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for Her Majesty's Foreign and other Secret Services" 1022

After short debate, Question put:—The Committee *divided;* Ayes, 83, Noes 22; Majority 61.

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

LORDS, MONDAY, APRIL 28.

Portpatrick Harbour Bill (No. 71)—

Order of the Day for the House to be put into Committee, read .. 1023

After short debate, House in Committee accordingly; Bill *reported,* without Amendment; an Amendment made; and Bill to be read 3ª *To-morrow.*

COMMONS, MONDAY, APRIL 28.

Education (India)—Question, Mr. Stapleton; Answer, Mr. Grant Duff .. 1024

Commission on Loss of Life at Sea—Question, Mr. T. E. Smith; Answer, Mr. Chichester Fortescue 1024

Army—Barracks—Question, Mr. O'Reilly; Answer, Sir Henry Storks .. 1025

[*April* 28.] *Page*

ARMY—SANDHURST COLLEGE—EXAMINATIONS, 1870—DIRECT COMMISSIONS—Questions, Colonel Stuart Knox; Answer, Sir Henry Storks .. 1025

DOVER HARBOUR BILL—Question, Major Dickson; Answer, Mr. Chichester Fortescue 1027

RAILWAY AND CANAL COMMISSIONERS—ANNOUNCEMENT OF NAMES—Observations, Mr. Chichester Fortescue 1027

EDUCATION DEPARTMENT—ADVERTISEMENTS—Question, Mr. Bourke; Answer, Mr. W. E. Forster 1027

INDIA—RAILWAY GAUGE—THE PUNJAUB LINES—Question, Sir Charles Wingfield; Answer, Mr. Grant Duff 1028

METROPOLIS—THE PARKS—BATHING ACCOMMODATION—Question, Mr. Holms; Answer, Mr. Gladstone 1028

PORTUGAL—COMMERCIAL TARIFF—Question, Mr. Grieve; Answer, Viscount Enfield 1029

WAYS AND MEANS—REPORT—DIRECT AND INDIRECT TAXATION—Resolutions [April 24] *reported* 1030

Moved, "That the said Resolutions be now read a second time."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "before deciding on the further reduction of indirect taxation, it is desirable that the House should be put in possession of the views of the Government with reference to the maintenance and the adjustment of direct taxation, both imperial and local,"—(*Mr. William Henry Smith*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Stephen Cave:*)—Motion *agreed to:*—Debate *adjourned* till *Thursday*.

Railway and Canal Traffic Bill [Bill 121]—

Moved, "That the Bill be now read the third time,"—(*Mr. Chichester Fortescue*) 1105

Amendment proposed,

To leave out from the words "Bill be" to the end of the Question, in order to add the words "re-committed in respect of certain new Clauses:—

(Powers of Commissioners.)

(Railway station or level crossing reported dangerous.)

(Carriages to be properly and efficiently lighted.)

(Commissioners may order inconvenient and unreasonable running of trains to be remedied,")—(*Sir Herbert Croft*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn*.

Main Question put, and *agreed to:*—Bill read the third time, and *passed*.

East India Loan Bill [Bill 103]—

Order read, for resuming Adjourned Debate on Question [3rd April], "That Mr. Speaker do now leave the Chair:"—Question again proposed:—Debate *resumed* 1108

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is inexpedient that a loan of a large amount should be raised upon the security of the revenues of India, when the measure which authorises the loan contains no statement of the purposes to which it is proposed to devote the money, and provides no security that a portion of the loan may not be employed as ordinary revenue, or may not be applied to objects different from those for which the loan was originally intended,"—(*Mr. Fawcett*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 88, Noes 46; Majority 42.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

Bill *considered* in Committee:—Committee report Progress; to sit again upon *Thursday*.

Woods and Forests Bill—*Ordered* (*Mr. William Henry Gladstone, Mr. Baxter*); *presented*, and read the first time [Bill 140] 1113

TABLE OF CONTENTS.

LORDS, TUESDAY, APRIL 29.

Page

East India Stock Dividend Redemption Bill (No. 67)—
Moved, "That the Bill be now read 2^a,"—(*The Duke of Argyll*) .. 1114
Motion *agreed to:*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

Land Titles and Transfer Bill—
A Bill to simplify Titles and facilitate the Transfer of Land; *presented* (*The Lord Chancellor*) 1116
After short debate, Bill read 1^a. (No. 85.)

Real Property Limitation Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1^a (No. 86) 1136

Fulford Chapel Marriages Legalization Bill [H.L.]—*Presented* (*The Lord Bishop of Chichester*); read 1^a (No. 82) 1136

COMMONS, TUESDAY, APRIL 29.

METROPOLIS—THE GREEN PARK—Question, Mr. Brady; Answer, Mr. Ayrton 1137
ARMY—MILITIA SURGEONS—Question, Mr. D. Dalrymple; Answer, Mr. Campbell-Bannerman 1137
NAVY—"BRITANNIA" TRAINING SHIP—Questions, Mr. C. Dalrymple, Lord Elcho; Answer, Mr. Goschen 1138
POST OFFICE—TELEGRAMS IN FRENCH—Question, Colonel Bourne; Answer, Mr. Monsell 1139
DOMINION OF CANADA—MANITOBA—Question, Sir Stafford Northcote; Answer, Mr. Knatchbull-Hugessen 1140
BOARD OF EDUCATION (IRELAND)—REV. MR. O'KEEFFE—Question, The Marquess of Hartington; Answer, Mr. Bouverie 1140
PARLIAMENT—PUBLIC BUSINESS—Observations, Mr. Gladstone .. 1141

IRISH RAILWAYS—PURCHASE BY THE STATE—RESOLUTION—
Moved, "That this House, whilst expressing no opinion on the subject of State ownership or State management of Railways in other parts of the Empire, is of opinion that it is desirable (having regard to the universally expressed wishes and wants of the Irish people) that the Railways in Ireland should be acquired on equitable terms by the State, with a view to their management being conducted in the interests of the public: this measure to be carried out in such a way as not to involve any loss to the finances of the Empire,"—(*Lord Claud Hamilton*) 1141
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "the purchase of the Irish Railways by the State would be financially inexpedient, would unduly enlarge the patronage of the Government, and seriously increase the pressure of business in Parliament,"—(*Mr. Goldsmid,*)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment, by leave, *withdrawn.*
Main Question put:—The House *divided;* Ayes 65, Noes 197; Majority 132.

WILD BIRDS PROTECTION—MOTION FOR A SELECT COMMITTEE—
Moved, "That a Select Committee be appointed, with power to take evidence, to inquire into the advisability of extending the protection of a close season to certain Wild Birds not included in the Wild Birds Preservation Act of 1872,"—(*Mr. Auberon Herbert*) 1187
After short debate, Amendment proposed,
To leave out the words "extending the protection of a close season to certain Wild Birds not included in," in order to insert the word "amending,"—(*Mr. Stuart Parker,*)—instead thereof.
Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*
Main Question put:—The House *divided;* Ayes 162; Noes 16; Majority 146.
Select Committee *appointed,* "with power to take evidence, to inquire into the advisability of extending the protection of a close season to certain Wild Birds not included in the Wild Birds Preservation Act of 1872."
And, on May 15, Committee *nominated*:—List of the Committee .. 1190

PARLIAMENT—BUSINESS OF THE HOUSE—RESOLUTION—
Moved, "That when the House after a Morning Sitting resumes its Sitting at Nine o'clock, and it appears on Notice being taken that Forty Members are not present, the House shall suspend Debates and proceedings until a quarter past Nine, and Mr. Speaker shall then count the House, and if Forty Members are not then present, the House shall stand adjourned,"—(*Sir Henry Selwin-Ibbetson*) 1190
Resolution *agreed to.*

Building Societies (No. 2) Bill—
Motion for Leave (*Mr. Winterbotham*) 1190
Motion *agreed to*:—Bill to amend the law relating to Building Societies, *ordered* (*Mr. Winterbotham, Mr. Secretary Bruce, Mr. Solicitor General*); *presented*, and read the first time [Bill 141.]

LOCOMOTIVES ON ROADS—
Select Committee *appointed*, "to inquire into the effect of the use of Locomotive Engines on Turnpike and other Public Roads, and as to the limitations and restrictions which ought to be imposed by Law on their use upon such roads for securing the public safety and protecting the public interests,"—(*Mr. Cawley.*)
And, on May 6, Committee *nominated*:—List of the Committee .. 1193

DIVORCE BILLS—Select Committee *nominated*:—List of the Committee .. 1194

Prison Officers Superannuation (Ireland) Bill—*Ordered* (*Sir John Gray, Mr. Pim, Mr. Ion Trant Hamilton*); *presented*, and read the first time [Bill 142] .. 1194

COMMONS, WEDNESDAY, APRIL 30.

Women's Disabilities Bill [Bill 17]—
Moved, "That the Bill be now read a second time,"—(*Mr. Jacob Bright*) 1194
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Bouverie*) 1214
After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 155, Noes 222; Majority 67:—Words *added*:—Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.

Law Agents (Scotland) Bill—*Ordered* (*The Lord Advocate, Mr. Adam*) .. 1258

LORDS, THURSDAY, MAY 1.

Supreme Court of Judicature Bill (Nos. 14, 45, 73)—
House in Committee (according to Order) 1258
Clause 5 (Constitution of High Court of Justice.)
An Amendment *moved*, page 2, line 12, after ("be") to insert ("the Lord Chancellor,")—(*The Lord Cairns.*)
On Question, their Lordships *divided*; Contents 67, Not-Contents 49; Majority 18:—Amendment *agreed to.*
Division List, Contents and Not-Contents 1282
Amendments made:—The Report thereof to be received *To-morrow.*

COMMONS, THURSDAY, MAY 1.

POST OFFICE—TELEGRAMS BETWEEN FRANCE AND ENGLAND—Question, Mr. O'Reilly; Answer, Mr. Monsell 1292
NAVY—RETIREMENT—Question, Mr. Hanbury-Tracy; Answer, Mr. Goschen 1293
LANCASTER AND ULVERSTON SANDS—Question, Mr. Stanley; Answer, Mr. Childers 1293
THE ECCLESIASTICAL COMMISSIONERS—Question, Mr. Monk; Answer, Mr. Gladstone 1294
THE TICHBORNE CASE—THE QUEEN v. CASTRO—Question, Mr. Whalley; Answer, Mr. Bruce 1294

TABLE OF CONTENTS.

[*May* 1.]

Page

METROPOLIS—CENTRAL LONDON SICK ASYLUM—Question, Mr. Gathorne Hardy; Answer, Mr. Hibbert 1295

ARMY—ROYAL MILITARY ACADEMY, WOOLWICH—Question, Mr. Bruen; Answer, Mr. Cardwell 1296

THE JUDICIAL BENCH (IRELAND)—LIBELS UPON MR. JUSTICE LAWSON—Question, Viscount Crichton; Answer, The Marquess of Hartington .. 1297

MERCHANT SHIPPING ACT—THE "PARGA"—Question, Mr. T. E. Smith; Answer, Mr. Chichester Fortescue 1297

SHROPSHIRE MAGISTRATES — CASE OF GEORGE WHITEFOOT — Question, Mr. P. A. Taylor; Answer, Mr. Bruce 1298

POLICE—CONSTABULARY OF RADNOR—Question, Sir Joseph Bailey; Answer, Mr. Bruce 1299

ARMY—MEDICAL DEPARTMENT—Question, Major Arbuthnot; Answer, Mr. Cardwell 1299

WAYS AND MEANS—REPORT—DIRECT AND INDIRECT TAXATION—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [28th April]:—Question again proposed:—Debate *resumed* .. 1300

After long debate, Question put, and *agreed to.*

Main Question put, and *agreed to*:—Resolutions read a second time, and *agreed to.*

Ways and Means—Customs and Inland Revenue Bill—Resolution [April 30] *reported*, and *agreed to.*

Resolutions which on the 24th day of April were reported from the Committee of Ways and Means, and then agreed to by the House, read.

Bill or Bills upon the said Resolutions, and upon the Resolutions reported from the Committee of Ways and Means on the 28th day of April, and the Resolution now reported and agreed to by the House, *ordered* (*Mr. Bonham-Carter, Mr. Chancellor of the Exchequer, Mr. Baxter*); *presented*, and read the first time [Bill 144] .. 1392

LORDS, FRIDAY, MAY 2.

AFRICA—WEST COAST SETTLEMENTS—THE ASHANTEE INVASION—Questions, Observations, The Earl of Lauderdale, The Earl of Carnarvon; Reply, The Earl of Kimberley 1392

APPELLATE JURISDICTION OF THE HOUSE OF LORDS—SUPREME COURT OF JUDICATURE BILL—RESOLUTIONS—

Moved to resolve, 1st. That one tribunal of ultimate appeal for disputed suits from the courts of all the three kingdoms is more advantageous than separate tribunals for such appeals,—(*The Lord Redesdale*) 1396

After short debate, on Question? their Lordships *divided;* Contents 13, Not-Contents 38; Majority 25.

Division List, Contents and Not-Contents 1402

Resolutions (*The Lord Redesdale*) 1403

Supreme Court of Judicature Bill [H.L.] (Nos. 14, 45, 73)—

Amendments *reported* (according to Order); further Amendments made; Bill to be read 3ª on *Monday* next; and to be *printed*, as amended. (No. 89.)

COMMONS, FRIDAY, MAY 2.

ARMY—MAJORS OF ARTILLERY—Question, Sir David Wedderburn; Answer, Mr. Grant Duff 1404

THE TICHBORNE TRIAL—Question, Mr. M. Guest; Answer, Mr. Bruce .. 1405

BOARD OF EDUCATION (SCOTLAND)—Question, Mr. Gordon; Answer, Mr. W. E. Forster 1406

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

HARBOURS OF REFUGE—MOTION FOR A SELECT COMMITTEE—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the loss of life and property on the North East coast, and report on the best means of averting the same,"—(*Lord Claud John Hamilton,*)—instead thereof 1406

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 109, Noes 95; Majority 14.

TREATY OF WASHINGTON—THE SAN JUAN AWARD—Observations, Lord George Hamilton; Reply, Viscount Enfield:—Debate thereon .. 1426

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

(In the Committee.)

(1.) Motion made, and Question proposed, "That a sum, not exceeding £5,247, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain Officers in Scotland, and other charges formerly paid from the Hereditary Revenue" .. 1453

Motion made, and Question proposed, "That the Item of £217 13*s*., for Queen's Plates, be reduced by the sum of £197 13*s*.,"—(*Mr. Bowring.*)

After short debate, Question put:—The Committee *divided;* Ayes 52, Noes 63; Majority 11.

Original Question put, and *agreed to.*

(2.) £10,512, to complete the sum for the Fishery Board, Scotland.

(3.) £6,054, to complete the sum for the Department of the Registrar General of Births, &c., Scotland.

(4.) £4,945, to complete the sum for the Board of Lunacy, Scotland.

(5.) £15,192, to complete the sum for the Board of Supervision, Scotland.—After short debate, Vote *agreed to.*

(6.) Motion made, and Question proposed, "That a sum, not exceeding £5,791, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland and other Expenses" 1456

Motion made, and Question proposed, "That the Item of £1,562, for Queen's Plates, be omitted from the proposed Vote,"—(*Mr. Trevelyan.*)

After short debate, Question put:—The Committee *divided;* Ayes 43, Noes 65; Majority 22.

Original Question put, and *agreed to.*

(7.) £24,215, to complete the sum for the Offices of the Chief Secretary to the Lord Lieutenant of Ireland.

(8.) £250, to complete the sum for the Boundary Survey, Ireland.

(9.) £1,985, to complete the sum for the Office of Commissioners of Charitable Donations and Bequests, Ireland.

(10.) £23,096, to complete the sum for the Department of the Registrar General of Births, &c., Ireland.

(11.) £91,200, to complete the sum for the Local Government Board, Ireland.

(12.) £4,394, to complete the sum for the Public Record Office, Ireland.

(13.) £22,326, to complete the sum for the Office of Public Works, Ireland.

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Agricultural Children Bill [Bill 8]—

Bill *considered* in Committee 1458

After short time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next.

Married Women's Property Act (1870) Amendment Bill [Bill 7]—

Moved, "That the House do now go into Committee upon the said Bill,"—(*Mr. Hinde Palmer*) 1459

[House counted out.]

LORDS, MONDAY, MAY 5.

Gas Companies Bills—The Price of Coal and Gas—Observations, Lord Redesdale; Reply, Earl Granville:—Short debate thereon .. 1459

Supreme Court of Judicature Bill (Nos. 14, 45, 73, 89)—

Moved, "That the Bill be now read 3ª,"—(*The Lord Chancellor*) .. 1463

Amendment *moved,* to leave out ("now,") and insert ("this day six months,")—(*The Lord Denman.*)

On Question, That ("now") stand part of the Motion? *Resolved* in the *Affirmative;* Bill read 3ª accordingly.

Amendment *moved,* Clause 20, page 9, line 26, after ("Privy Council") to insert—

("Except when the Court of Appeal shall be of opinion that any Appeal ought to be re-heard, in which case the Court shall order such Appeal to be referred to the House of Lords,")—(*The Lord Redesdale.*)

Amendment *negatived.*

Amendment *moved,* Clause 21, lines 36 and 37, leave out ("except appeals from any Ecclesiastical Court and petitions relating thereto,")—(*The Marquess of Salisbury.*)

After debate, Amendment (by leave of the House) *withdrawn.*

Bill *passed,* and sent to the Commons.

Rock of Cashel Bill [H.L.]—*Presented* (*The Lord Stanley of Alderley*); read 1ª (No. 90) 1482

Tramways Provisional Orders Confirmation Bill [H.L.]—*Presented* (*The Lord President*); read 1ª (No. 93) 1482

COMMONS, MONDAY, MAY 5.

Africa (West Coast)—The Fanti Confederation—Question, Mr. Salt; Answer, Viscount Enfield 1483

Ordnance Survey—Question, Mr. Greaves; Answer, Mr. Ayrton ... 1483

Army—Chaplains to the Forces—Question, Mr. O'Reilly; Answer, Sir Henry Storks 1484

India—H.M. Roman Catholic Servants—Question, Mr. O'Reilly; Answer, Mr. Grant Duff 1484

India—Banda and Kirwee Booty—Question, Mr. W. M. Torrens; Answer, Mr. Grant Duff 1485

The Tichborne Case—The Queen v. Castro—Question, Mr. Whalley; Answer, Mr. Bruce 1485

Volunteer Officers—Question, Colonel C. H. Lindsay; Answer, Sir Henry Storks 1486

Railway and Canal Companies Bills—The Joint Committee—Questions, Mr. Woods, Mr. Rathbone; Answers, Mr. Chichester Fortescue .. 1486

Board of Trade—Railway Returns (1872)—Question, Mr. Lea; Answer, Mr. Chichester Fortescue 1487

British North America — The Alaska Boundary — Question, Mr. Eastwick; Answer, Viscount Enfield 1487

Post Office—Conveyance of Mails to the Cape of Good Hope—Question, Mr. Holms; Answer, The Chancellor of the Exchequer .. 1488

Irish Church Act—National Monuments—Question, Mr. Agar-Ellis; Answer, Mr. Gladstone 1489

Rome—The Attack upon Mr. Vansittart—Question, Mr. Matthews; Answer, Viscount Enfield 1489

Coroners (Ireland)—Question, Mr. Vance; Answer, The Marquess of Hartington 1490

Orders of the Day—Local Taxation—The Government Proposals—
Orders of the Day read, and postponed till after the four Notices of Motion, relative to Local Taxation, to be proposed by the President of the Local Government Board,—(*Mr. Gladstone.*)

Rating (Liability and Value)—Valuation—Consolidated Rate Bills—
Motion for Leave (*Mr. Stansfeld*) 1491
Motion *agreed to*:—Bill to amend the Law respecting the Liability and Valuation of Property for the purposes of Rates and Taxes (Queen's *Consent* signified), *ordered* (*Mr. Stansfeld, Mr. Secretary Bruce, Mr. Goschen, Mr. Hibbert*); *presented*, and read the first time. [Bill 146]

Valuation Bill—
Motion for Leave (*Mr. Stansfeld*) 1509
After debate, Motion *agreed to*:—Bill to provide for uniformity in the Valuation of Property for the purposes of Rates and Taxes, *ordered* (*Mr. Stansfeld, Mr. Secretary Bruce, Mr. Goschen, Mr. Hibbert*); *presented*, and read the first time [Bill 147]

Consolidated Rate Bill—*Ordered* (*Mr. Stansfeld, Mr. Secretary Bruce, Mr. Goschen, Mr. Hibbert*); *presented*, and read the first time [Bill 148] 1520

University Tests (Dublin) (No. 3) Bill [Bill 124]—
Order for Committee read 1520
Moved, "That it be an Instruction to the Committee, that they have power to provide for the establishment, as a College of the University of Dublin, of the institution known as the Catholic University,"—(*Mr. P. J. Smyth.*)
After debate, Question put:—The House *divided*; Ayes 9, Noes 85; Majority 19.
Bill *considered* in Committee.
After short time spent therein, Bill *reported*; as amended, to be considered *To-morrow*.

General Valuation (Ireland) Bill [Bill 64]—
Moved, "That the Bill be now read a second time,"—(*Mr. Baxter*) .. 1535
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*The O'Conor Don.*)
After short debate, Question put, "That the word 'now' stand part of the Question:—The House *divided*; Ayes 198, Noes 45; Majority 153.
Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Entailed and Settled Estates (Scotland) Bill [Bill 130]—
Moved, "That the Bill be now read a second time,"—(*The Lord Advocate*) 1541
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Customs Duties (Isle of Man) Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. Bonham-Carter, Mr. Baxter, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 151] 1543

Peace Preservation (Ireland) Bill—*Ordered* (*The Marquess of Hartington, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 145] 1544

Gas and Water Provisional Orders Confirmation (No. 2) Bill—*Ordered* (*Mr. Arthur Peel, Mr. Chichester Fortescue*); *presented*, and read the first time [Bill 149] .. 1544

TABLE OF CONTENTS.

LORDS, TUESDAY, MAY 6.

Page

NEW PEERS—

Edward Berkeley, Baron Portman, created Viscount Portman of Bryanston in the county of Dorset.

Sir Robert Alexander Shafto Adair, Baronet, created Baron Waveney of South Elmham in the county of Suffolk.

Railway and Canal Traffic Bill (No. 84)—

Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 1544

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Marriages (Ireland) Legalization Bill [H.L.]—*Presented* (*The Marquess of Clanricarde*); read 1ª (No. 94) 1557

COMMONS, TUESDAY, MAY 6.

POST OFFICE—TELEGRAPH DEPARTMENT—CARMARTHEN DISTRICT—Question, Mr. Jones; Answer, Mr. Monsell 1557

POST OFFICE—FINANCIAL IRREGULARITIES—Question, Mr. Seely; Answer, The Chancellor of the Exchequer 1558

POST OFFICE—TELEGRAPH DEPARTMENT—CAPITAL EXPENDITURE—Question, Mr. Seely; Answer, Mr. Monsell 1558

ARMY—QUEEN'S AND INDIAN ARMIES—Question, Colonel Barttelot; Answer, Mr. Cardwell 1559

ARMY—THE 95TH REGIMENT—Question, Lord Eustace Cecil; Answer, Mr. Cardwell 1559

THE FIJI ISLANDS—Question, Admiral Erskine; Answer, Viscount Enfield 1560

AFRICA—WEST COAST SETTLEMENTS—THE ASHANTEE INVASION—Question, Sir Charles Adderley; Answer, Mr. Knatchbull-Hugessen .. 1560

PARLIAMENT—DISTRIBUTION OF ELECTORAL POWER—RESOLUTION—

Moved, "That, in the opinion of this House, it is desirable to redress the inequalities of the distribution of Electoral power in England and Scotland as well as in Ireland," —(*Sir Charles W. Dilke*) 1561

Amendment proposed,

To add, at the end of the Question, the words "by the application of the cumulative vote or otherwise, so as to secure a better proportional representation of the people in the respective constituencies,"—(*Mr. Collins*) 1573

Question proposed, "That those words be there added."

After debate, Amendment, by leave, *withdrawn.*

Main Question put:—The House *divided;* Ayes 77, Noes 268; Majority 191.

ARMY—HONORARY COLONELCIES—RESOLUTION—

Moved, "That, inasmuch as it would greatly conduce to the diminution of our Military expenditure and the improvement of our Military organisation, that our establishment of officers, in all ranks, should be founded upon the actual requirements of the public service, the House is of opinion that no further appointments should be made to the honorary Colonelcies of regiments,"—(*Mr. Trevelyan*) 1591

After debate, Question put:—The House *divided;* Ayes 40, Noes 80; Majority 40.

Ancient Monuments Preservation Bill [Bill 5]—

Moved, "That the Bill be now read a second time,"—(*Sir John Lubbock*) 1607

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Friday.* [House counted out.]

COMMONS, WEDNESDAY, MAY 7.

Permissive Prohibitory Liquor Bill [Bill 14]—

Moved, "That the Bill be now read a second time,"—(*Sir Wilfrid Lawson*) 1609

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Wheelhouse.*)

Permissive Prohibitory Liquor Bill—continued.

After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 81, Noes 321; Majority 240:—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months.

Division List, Ayes and Noes 1661

Public Health Bill [Bill 99]—

Moved, "That the Bill be now read a second time,"—(*Sir Charles Adderley*) 1664

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to add to the duties at present imposed upon sanitary authorities constituted by the Act 1872, until their powers are better defined by a consolidation of the statutes, and appointments have been completed in conformity with the intention of the Act,"—(*Mr. Corrance,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, it being a quarter of an hour before Six of the clock, the Debate stood *adjourned* till *To-morrow.*

Municipal Corporations Evidence Bill—*Ordered* (*Mr. Hinde Palmer, Mr. Watkin Williams*); *presented,* and read the first time [Bill 155] 1666

Public Meetings (Ireland) Bill—*Ordered* (*Mr. P. J. Smyth, Mr. M'Mahon, Mr. Ronayne, Sir John Gray, Mr. Downing, Mr. Butt*); *presented,* and read the first time [Bill 157] 1666

LORDS, THURSDAY, MAY 8.

Registration of Births and Deaths Bill (No. 49)—

House in Committee (according to Order) 1666

Amendments made; the Report thereof to be received on *Friday* the 16th instant; and Bill to be *printed,* as amended. (No. 100.)

Elementary Education Provisional Order Confirmation (No. 1) Bill (No. 68)—

House in Committee (according to Order) 1667

After short time spent therein, House *resumed;* and Bill *referred* to a Select Committee.

And on Tuesday, May 13, Committee *nominated:*—List of the Committee 1674

Canonries Bill (No. 83)—

Moved, "That the Bill be now read 2ª,"—(*The Marquess of Salisbury*) .. 1675

Motion *agreed to:*—Bill read 2ª, and *referred* to a Select Committee.

And, on Friday, June 13, Committee *nominated:*—List of the Committee 1675

Marriages Legalization, St. John's Chapel, Eton, Bill [H.L.]—*Presented* (*The Lord Bishop of Oxford*); read 1ª (No. 99) 1675

COMMONS, THURSDAY, MAY 8.

PARLIAMENT—BREACH OF PRIVILEGE—

Bradford Improvement Bill (*Lords*) (*by Order*)—

Order for Second Reading read:—Mr. Speaker informed the House that the Bill contained clauses which imposed a tax upon the people, and ought therefore to have been introduced into this House, and not into the other House of Parliament 1676

After Explanation, Bill read a second time, and *committed.*

CUSTOMS—TOBACCO—(UNPAID DUTIES)—Question, Mr. Barnett; Answer, Mr. Baxter 1677

PUBLIC HEALTH ACT, 1872—ROYAL ENGINEERS—Question, Sir Joseph Bailey; Answer, Mr. Stansfeld 1678

[*May* 8.]

Page

POST OFFICE—EDINBURGH POST OFFICE SORTERS—Question, Mr. Miller; Answer, Mr. Monsell 1678

DOMINION OF CANADA—TRANSFER OF ARMS, STORES, &c.—Question, Major Arbuthnot; Answer, Sir Henry Storks 1678

BASTARDY LAWS—PROCEEDINGS IN BASTARDY—Question, Mr. Charley; Answer, Mr. Stansfeld 1680

ARMY—CONTRACTS FOR POWDER—BELGIAN AND ENGLISH PEBBLE POWDER—Question, Mr. Malcolm; Answer, Sir Henry Storks .. 1680

THE TICHBORNE CASE—THE QUEEN v. CASTRO—Questions, Mr. Whalley; Answers, Mr. Bruce 1681

MERCANTILE MARINE—CARDIFF MAGISTRATES—MR. PLIMSOLL—Question, Mr. Hussey Vivian; Answer, Mr. Bruce 1682

ASSASSINATION OF CAPTAIN CHARLES AGNEW—Question, Major Gavin; Answer, Viscount Enfield 1683

Customs and Inland Revenue Bill [Bill 144]—

Order for Committee read 1684

After short debate, Bill *considered* in Committee.

After short time spent therein, Bill *reported*, without Amendment; to be read the third time *To-morrow.*

Register for Parliamentary and Municipal Electors (*re-committed*) **Bill**—

Bill *considered* in Committee [*Progress 24th April*] 1690

After short time spent therein, Bill *reported;* as amended, to be considered upon *Friday* 16th May, and to be *printed.* [Bill 158.]

Conveyancing (Scotland) Bill [Bill 108]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*The Lord Advocate*) 1695

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Gordon,*)—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee:—Committee report Progress; to sit again upon *Monday* next.

Superannuation Act Amendment Bill [Bill 135]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Baxter*) 1700

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Joshua Fielden,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

After short debate, Question put:—The House *divided;* Ayes 110, Noes 43; Majority 67.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to:*—Bill *considered* in Committee.

After short time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next.

[*May* 8.] Page

Public Health Bill [Bill 99]—
Order read, for resuming Adjourned Debate on Amendment proposed to Question [7th May]:—Question again proposed:—Debate *resumed* 1707
After short debate, Amendment, by leave, *withdrawn.*
Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Agricultural Children Bill [Bill 8]—
Moved, "That the Bill be now read the third time,"—(*Mr. Clare Read*) 1708
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Mundella.*)
Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*
Main Question put, and *agreed to*:—Bill read the third time, and *passed.*

LORDS, FRIDAY, MAY 9.

CONSTABULARY (SCOTLAND) SUPERANNUATIONS—Question, Observations, The Earl of Minto; Reply, The Earl of Morley 1710

COMMONS, FRIDAY, MAY 9.

RAILWAYS—COMMUNICATION BETWEEN PASSENGERS AND GUARDS—Question, Mr. Watney; Answer, Mr. Chichester Fortescue 1711
BRAZIL—BRITISH EMIGRANTS—Question, Mr. Floyer; Answer, Viscount Enfield 1712
ARMY—THE 21ST R. N. B. FUSILIERS—Question, Captain Talbot; Answer, Mr. Cardwell 1713
POST OFFICE—DETENTION OF MAILS AT CALAIS—Question, Mr. Harvey Lewis; Answer, Mr. Monsell 1713
MERCANTILE MARINE—MR. PLIMSOLL AND THE CARDIFF SHIPOWNERS—Question, Mr. Carter; Answer, Mr. Chichester Fortescue .. 1714
CATTLE—IMPORTATION OF GERMAN CATTLE—Question, Mr. Clare Read; Answer, Mr. W. E. Forster 1717
SUGAR DUTIES—THE INTERNATIONAL CONFERENCES—Questions, Mr. Stephen Cave, Mr. J. B. Smith; Answers, The Chancellor of the Exchequer .. 1717
POST OFFICE SAVINGS BANKS—INVESTMENT OF DEPOSITS—Question, Mr. Watney; Answer, The Chancellor of the Exchequer 1718
AFRICA—WEST COAST SETTLEMENTS—THE ASHANTEE INVASION—Questions, Mr. M'Arthur, Sir Charles Adderley; Answers, Mr. Knatchbull-Hugessen 1719
COMMISSIONERS OF NATIONAL EDUCATION (IRELAND)—REV. MR. O'KEEFFE—Question, Mr. Bouverie; Answer, Mr. Gladstone 1720

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

MERCANTILE MARINE—LIGHTS IN THE CHANNEL—RESOLUTION—
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "it is expedient that fog signals, either steam whistles or guns, or both, be added to the lights on the Skerries Island, the Codling Bank, and the Tuskar Rock, and that the light on the Codling Bank be improved; also that a Royal Commission be appointed to inquire into the whole subject of fog signals before the desultory establishment of signals at various points makes it difficult to apply a proper system for the whole of our coasts,"—(*Mr. Eastwick*),—instead thereof 1721
Question proposed, "That the words proposed to be left out stand part of the Question."
After debate, Question put, and *agreed to.*

SUPPLY—Order for Committee—*continued.*

ADMINISTRATION OF THE POLICE—MOTION FOR A SELECT COMMITTEE—Observations, Mr. Eykyn; Reply, Mr. Bruce:—Short debate thereon 1733

ARMY FINE FUND—Observations, Mr. Sclater-Booth; Reply, Mr. Cardwell:—Short debate thereon 1750

RUSSIA—BRITISH GRAVES IN THE CRIMEA—Observations, Mr. R. N. Fowler; Reply, Mr. Baxter:—Short debate thereon 1761

CRIMINAL LAW—SHROPSHIRE MAGISTRATES—CASE OF GEORGE WHITEFOOT—Observations, Mr. P. A. Taylor; Reply, The Attorney General:—Short debate thereon 1763

NATIONAL EDUCATION COMMISSIONERS—THE CALLAN SCHOOLS—DISMISSAL OF REV. ROBERT O'KEEFFE—Question, Colonel Taylor; Answer, Mr. Gladstone 1770

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

(In the Committee.)

(1.) £44,925, to complete the sum for Salaries of Law Officers, Law Charges, &c.—After short debate, Vote *agreed to* 1771

(2.) £158,275, to complete the sum for Criminal Prosecutions at Assizes, &c.—After short debate, Vote *agreed to* 1772

(3.) £143,778, to complete the sum for the Court of Chancery in England.—After short debate, Vote *agreed to* 1773

(4.) £51,837, to complete the sum for the Superior Courts of Common Law in England.—After short debate, Vote *agreed to* 1775

(5.) Motion made, and Question proposed, "That a sum, not exceeding £31,478, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for such of the Salaries and Expenses of the London Bankruptcy Court as are not charged on the Consolidated Fund" 1775

After short debate, *Moved*, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Whalley*:)—Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(6.) £364,984, to complete the sum for the County Courts.

(7.) £76,424, to complete the sum for the Courts of Probate and Divorce, &c. in England.—After short debate, Vote *agreed to* 1776

(8.) £10,499 to complete the sum for the High Court of Admiralty.

(9.) £4,450, to complete the sum for the Office of Land Registry.

(10.) £11,693, to complete the sum for Police Courts, London and Sheerness.

(11.) £191,482, to complete the sum for the Metropolitan Police.

(12.) £315,000, to complete the sum for Police, Counties and Boroughs, Great Britain.

(13.) £374,593, to complete the sum for Convict Establisments, England and Colonies.

(14.) £90,820, to complete the sum for Maintenance of Prisoners in County and Borough Prisons, &c. Great Britain.

(15.) £186,000, to complete the sum for Reformatories and Industrial Schools, Great Britain.

(16.) £25,492, to complete the sum for Broadmoor Criminal Lunatic Asylum.

(17.) £14,850, to complete the sum for Miscellaneous Legal Charges, England.

(18.) £56,290, to complete the sum for Criminal Proceedings, Scotland.—After short debate, Vote *agreed to* 1777

(19.) £47,754, to complete the sum for Courts of Law and Justice, &c. Scotland.

(20.) £26,113, to complete the sum for the General Register House, Edinburgh.

(21.) £19,793, to complete the sum for Joint Departments of Prisons, Judicial Statistics, &c., Scotland.

(22.) £65,231, to complete the sum for Criminal Prosecutions, &c., Ireland.

(23.) £37,550, to complete the sum for the Court of Chancery, Ireland.

(24.) £23,552, to complete the sum for the Superior Courts of Common Law, Ireland.

(25.) £6,761, to complete the sum for the Court of Bankruptcy and Insolvency, Ireland.

(26.) £10,931, to complete the sum for the Landed Estates Court, Ireland.

(27.) £9,663, to complete the sum for the Court of Probate, Ireland.

(28.) £1,775, to complete the sum for the Admiralty Court Registry, Ireland.

(29.) £13,650, to complete the sum for the Office for Registration of Deeds, Ireland.

(30.) £2,620, to complete the sum for the Office for Registration of Judgments, Ireland.

SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

(31.) £94,967, to complete the sum for the Dublin Police Courts and Metropolitan Police.—After short debate, Vote *agreed to* 1777

(32.) £819,729, to complete the sum for the Constabulary Force, Ireland.—After short debate, Vote *agreed to* 1778

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Canada Loan Guarantee Bill—Resolution [May 8] *reported*, and *agreed to*:—Bill *ordered* (*Mr. Bonham-Carter, Mr. Knatchbull-Hugessen, Mr. Baxter*); *presented*, and read the first time [Bill 159] 1778

TITHE COMMUTATION ACTS AMENDMENT BILL—
Select Committee *nominated*:—List of the Committee 1778

LORDS, MONDAY, MAY 12.

NEW PEER—

James Charles Herbert Welbore Ellis, Earl of Normanton in that part of the United Kingdom of Great Britain and Ireland called Ireland, created Baron Somerton of Somerley in the county of Southampton.

ZANZIBAR—SIR BARTLE FRERE'S MISSION—MOTION FOR CORRESPONDENCE—
Moved that an humble Address be presented to Her Majesty for, Copies of the correspondence between the British and French Governments on the Mission of Sir Bartle Frere to Zanzibar; of the Instructions given to Sir Bartle Frere; and of his subsequent despatches,—(*The Lord Stratheden*) 1779

After short debate, Motion (by leave of the House) *withdrawn*.

COMMONS, MONDAY, MAY 12.

ELEMENTARY EDUCATION ACT—PUTTENHAM SCHOOL RATES—Question, Mr. Dixon; Answer, Mr. Hibbert 1782

SOUTH SEA ISLANDS — UPOLO AND THE NAVIGATOR ISLANDS — Question, Mr. Salt; Answer, Viscount Enfield 1782

MUNICIPAL CORPORATIONS ACT—THE DEVONPORT WATCH COMMITTEE—Question, Sir Wilfrid Lawson; Answer, Mr. Bruce 1783

MERCHANT SHIPPING ACT—MR. PLIMSOLL AND THE BOARD OF TRADE—Explanation, Mr. Bruce 1784

MERCANTILE MARINE—DISTRESS SHIP SIGNALS—Question, Colonel Beresford; Answer, Sir Henry Storks 1785

ARMY—ROYAL MILITARY ACADEMY (WOOLWICH) EXAMINATIONS—Question, Colonel Beresford; Answer, Mr. Cardwell 1785

ARMY—CHARGE AGAINST A CAVALRY OFFICER — Question, Mr. Anderson; Answer, Sir Henry Storks 1786

POST OFFICE—REGISTRATION OF RELIGIOUS PERIODICALS—Questions, Colonel Stuart Knox; Answers, Mr. Monsell 1786

DIPLOMATIC SERVICE—STAFF OF ATTACHES—Question, Mr. W. Lowther; Answer, Viscount Enfield 1787

LOCAL TAXATION—COST OF CRIMINAL PROSECUTIONS—Question, Mr. Holker; Answer, Mr. Baxter 1788

CUSTOMS DEPARTMENT (SALARIES)—Question, Mr. Trevelyan; Answer, Mr. Baxter 1788

DOVER HARBOUR BILL—Question, Major Dickson; Answer, Mr. Chichester Fortescue 1788

OFFICE OF WOODS AND FORESTS—CROWN TEINDS (SCOTLAND)—Question, Mr. J. W. Barclay; Answer, Mr. Baxter 1789

PARLIAMENT—PUBLIC BUSINESS—Questions, Mr. Bourke, Sir John Hay, Sir Stafford Northcote, Mr. Disraeli; Answers, Mr. Gladstone .. 1789

PARLIAMENT—THE WHITSUNTIDE RECESS—Questions, Mr. Beresford Hope, Mr. Newdegate; Answers, Mr. Gladstone 1790

Ordered, That the Orders of the Day subsequent to the Order for the Committee of Supply be postponed till after the Notice of Motion for the appointment of a Select Committee on the Boundaries of Parishes, Unions, and Counties,—(*Mr. Gladstone.*)

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

(In the Committee.)

(1.) Motion made, and Question proposed, "That a sum, not exceeding £2,279, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Expenses of the Office of the Lord Privy Seal .. 1791

Moved, "That the Vote be disallowed,"—(*Mr. Dillwyn.*)

After short debate, Question put:—The Committee *divided;* Ayes 229, Noes 59; Majority 170.

(2.) £33,685, to complete the sum for Government Prisons, &c., Ireland.

(3.) £63,463, to complete the sum for County and Borough Gaols, Ireland.

(4.) £4,409, to complete the sum for the Dundrum Criminal Lunatic Asylum.

(5.) £1,960, to complete the sum for the Four Courts of Marshalsea, Dublin.

(6.) £47,109, to complete the sum for Legal Expenses, Ireland.

(7.) £85,061, to complete the sum for the British Museum.—After short debate, Vote *agreed to* 1794

(8.) £5,045, to complete the sum for the National Gallery.

(9.) £1,500, to complete the sum for the National Portrait Gallery.

(10.) £10,450, to complete the sum for the Learned Societies.—After short debate, Vote *agreed to* 1795

(11.) £8,081, to complete the sum for the London University.

(12.) £7,595, to complete the sum for the Endowed Schools Commission.—After short debate, Vote *agreed to* 1796

(13.) £16,428, to complete the sum for the Scottish Universities.

(14.) £1,750, to complete the sum for the National Gallery, Scotland.

(15.) £1,980, to complete the sum for the National Gallery, Ireland.

(16.) £1,734, to complete the sum for the Royal Irish Academy.

(17.) £3,286, to complete the sum for the Queen's University, Ireland.

(18.) £3,476, to complete the sum for the Queen's Colleges, Ireland.

(19.) Motion made, and Question proposed, "That a sum, not exceeding £231,203, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Expenses of Her Majesty's Embassies and Missions Abroad" .. 1797

Motion made, and Question proposed, "That a sum, not exceeding £226,203, &c.,"—(*Mr. Rylands*:)—After debate, Question put, and *negatived.*

Original Question put, and *agreed to.*

(20.) £40,030, to complete the sum for Governors, &c., Colonies.—After debate, Vote *agreed to* 1806

(21.) £3,016, to complete the sum for the Orange River Territory and St. Helena.

(22.) £72, to complete the sum for the Slave Trade Commissions.

(23.) £11,229, to complete the sum for Tonnage Duties, &c.—After debate, Vote *agreed to* 1813

(24.) £4,429, to complete the sum for Emigration.—After debate, Vote *agreed to* .. 1814

(25.) £4,200, to complete the sum for the Treasury Chest.

(26.) £317,996, to complete the sum for Superannuation Allowances.—After debate, Vote *agreed to* 1814

(27.) £33,588, to complete the sum for the Merchant Seamen's Fund.

(28.) £27,500, to complete the sum for Distressed British Seamen Abroad.

(29.) £15,750, to complete the sum for Hospitals and Infirmaries, Ireland.

(30.) £4,616, to complete the sum for Miscellaneous Charitable and other Allowances, Great Britain.

(31.) £4,924, to complete the sum for Miscellaneous Charitable and other Allowances, Ireland.

(32.) Motion made, and Question proposed, "That a sum, not exceeding £14,027, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Incidental Expenses of temporary Commissions" .. 1816

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £13,727, &c.,"—(*Mr. Rylands*:)—After further short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(33.) £2,545, to complete the sum for Oceanic Investigations.

(34.) Motion made, and Question proposed, "That a sum, not exceeding £5,165, be granted to Her Majesty, to complete the sum necessary to defray the Charge which

SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

will come in course of payment during the year ending on the 31st day of March 1874, for certain Miscellaneous Expenses" 1817

Motion made, and Question proposed, "That a sum, not exceeding £4,165, &c.,"—(*Mr. Monk*:)—After short debate, Question put:—The Committee *divided;* Ayes 12, Noes 54; Majority 42.

Original Question put, and *agreed to.*

(35.) £983,015, Customs Department.—After short debate, Vote *agreed to* .. 1818

(36.) £1,678,236, Inland Revenue.—After short debate, Vote *agreed to* .. 1819

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

LOCAL TAXATION—BOUNDARIES OF PARISHES, UNIONS, AND COUNTIES—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed to inquire and report whether the existing Areas and Boundaries of Parishes, Unions, and Counties may be so altered and adjusted as to prevent the inconvenience in matters of Local Administration and Taxation which now arises from the limited extent or subdivision of certain Parishes, or the overlapping of Parishes in two or more administrative areas, or from Parishes and Unions being situate in more than one County, with power to recommend whether any and, if so, what measures should be taken to give effect to their Report,"—(*Mr. Stansfeld*) 1819

After debate, Amendment proposed, in line 3, after the word "Parishes," to insert the words "Municipal Boroughs,"—(*Mr. Samuelson*) .. 1834

Question proposed, "That those words be there inserted."

After further debate, Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Select Committee *appointed.*

And, on May 22, Committee *nominated*:—List of the Committee .. 1841

Conveyancing (Scotland) Bill [Bill 108]—

Bill *considered* in Committee 1841

After short time spent therein, Committee report Progress; to sit again upon *Monday* next.

Criminal Law Amendment Act (1871) Repeal Bill—*Ordered* (*Mr. Mundella, Mr. Morley, Mr. Carter, Mr. Eustace Smith*); *presented,* and read the first time [Bill 161] 1843

LORDS, TUESDAY, MAY 13.

Railway and Canal Traffic Bill (No. 84)—

House in Committee (according to Order) 1843

Amendments made; the Report thereof to be received on *Friday* next, and Bill to be *printed,* as amended. (No. 112.)

University Tests (Dublin) Bill (No. 103)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Cairns*) .. 1849

After long debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

PALACE OF WESTMINSTER—THE FRESCOES IN THE ROYAL GALLERY—Question, Viscount Hardinge; Answer, The Duke of St. Albans .. 1869

COMMONS, TUESDAY, MAY 13.

GAMBLING HOUSES AT HELIGOLAND—Question, Mr. W. O. Stanley; Answer, Mr. Knatchbull-Hugessen 1871

ARMY—AUXILIARY FORCES—ADJUTANTS—Question, Mr. Muntz; Answer, Mr. Cardwell 1871

PUBLIC HEALTH ACT—EPPING DRAINAGE DISTRICT—Question, Sir Henry Selwin-Ibbetson; Answer, Mr. Hibbert 1872

PUBLIC HEALTH ACT, 1872—SALARIES—Question, Sir Henry Selwin-Ibbetson; Answer, Mr. Hibbert 1872

LICENSING ACT, 1872—STANDARD OF VALUE—Question, Mr. Vernon Harcourt; Answer, Mr. Bruce 1873

EAST INDIA FINANCE COMMITTEE—SECOND REPORT—Questions, Sir Thomas Bazley, Mr. Hunt, Sir Stafford Northcote; Answers, Mr. Gladstone .. 1874

ENDOWED SCHOOLS COMMISSIONERS—EMANUEL HOSPITAL SCHEME—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty that She will be graciously pleased to withhold Her assent from the scheme of the Endowed Schools Commissioners for the management of Emanuel Hospital, in the parish of St. Margaret, in the city of Westminster,"—(*Mr. Crawford*) .. 1875

After long debate, Question put:—The House *divided;* Ayes 238, Noes 286; Majority 48.

Division List, Ayes and Noes 1956

BARKING CHARITY SCHOOLS—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to withhold Her assent to the scheme of the Endowed Schools Commissioners for the management of the Barking Charity Schools,"—(*Mr. Corrance*) 1960

After short debate, Motion, by leave, *withdrawn.*

Merchant Shipping Acts Amendment Bill—

Acts read; *considered* in Committee 1961

Moved, "That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Merchant Shipping Acts,"—(*Mr. Chichester Fortescue.*)

After short debate, Motion *agreed to:*—Resolution *reported:*—Bill *ordered* (*Mr. Bonham-Carter, Mr. Chichester Fortescue, Mr. Arthur Peel*); *presented*, and read the first time [Bill 162]

COMMONS, WEDNESDAY, MAY 14.

Occasional Sermons Bill [Bill 22]—

Moved, "That the Bill be now read a second time,"—(*Mr. Cowper-Temple*) 1962

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Collins.*)

After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 53, Noes 199; Majority 146:—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months.

Infanticide Law Amendment Bill [Bill 42]—

Moved, "That the Bill be now read a second time,"—(*Mr. Charley*) .. 1981

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *Friday*, 13th June.

Shipping Survey, &c. Bill [Bill 43]—

Moved, "That the Bill be now read a second time,"—(*Mr. Plimsoll*) .. 1987

After short debate, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow*.

Local Government Provisional Orders (No. 2) Bill—*Ordered* (*Mr. Hibbert, Mr. Stansfeld*); *presented*, and read the first time [Bill 163] 1997

LORDS, THURSDAY, MAY 15.

Australian Colonies (Customs Duties) Bill (No. 91)—

Moved, "That the Bill be now read 2^{a},"—(*The Earl of Kimberley*) .. 1998

After debate, Motion *agreed to:*—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Vagrants Law Amendment Bill (No. 98)—

Moved, "That the Bill be now read 2^{a},"—(*The Earl of Feversham*) .. 2011

After short debate, Motion *agreed to:*—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Colonial Church Bill [H.L.]—*Presented* (*The Lord Blachford*); read 1^{a} (No. 118) .. 2014

TABLE OF CONTENTS.

COMMONS, THURSDAY, MAY 15.

Page

Charing Cross and Victoria Embankment Approach Bill (By Order)—
Order for Consideration, as amended, read 2014
Moved, "That the Bill be now taken into Consideration:"—After short debate, Question put, and *agreed to*.
Bill *considered;* to be read the third time.

Central Asia — Extension of the Russian Frontier—Question, Mr. Eastwick; Answer, Viscount Enfield 2017
Dominion of Canada — Treaty of Washington — The Fisheries — Question, Mr. Percy Wyndham; Answer, Mr. Knatchbull-Hugessen 2018
The Tichborne Trial—The Queen v. Castro—Question, Mr. O'Conor; Answer, Mr. Bruce 2019
Revenue Departments—Superannuations—Question, Mr. W. H. Smith; Answer, Mr. Baxter 2019
Criminal Law—Great Northern Railway Company—Inquest on a Guard—Question, Mr. Straight; Answer, Mr. Bruce 2020
Army—Medical Officers—Question, Mr. R. Shaw; Answer, Sir Henry Storks 2021
Army — Yeomanry Cavalry — Horse Duty—Question, Mr. Monckton; Answer, Sir Henry Storks 2022
Post Office — Edinburgh and Glasgow Letter Sorters—Question, Mr. Miller; Answer, Mr. Monsell 2022
Spain—The Sloop "Lark"—Question, Mr. Serjeant Simon; Answer, Mr. Knatchbull-Hugessen 2023

Orders of the Day—
Ordered, That the Orders of the Day be postponed till after the Notice of Motion for a Select Committee to inquire into the case of the Callan Schools,—(*Mr. Gladstone.*)

National Education Commissioners—The Callan Schools—Dismissal of Rev. Robert O'Keeffe—Motion for a Select Committee—
Moved, "That a Select Committee be appointed to inquire into and report to the House the circumstances of the dismissal by the Commissioners of National Education in Ireland, of the Reverend Robert O'Keeffe from the office of Manager of the Callan Male, Female, and Infant National Schools, and the Newtown and Coolagh National Schools, by their Order the 23rd day of April 1872, and of the removal of the said Schools from the Roll of National Schools by their Order the 7th day of January 1873,"—(*The Marquess of Hartington*) 2023
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "this House, having partly already before it, and having partly ordered to be laid before it, Copies of all Minutes and Proceedings, and of all Correspondence of the Board of National Education in Ireland, relating to the Schools at Callan or to the Reverend Robert O'Keeffe, do pass to the Orders of the Day,"—(*Mr. Bouverie,*) —instead thereof.
After long debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 159, Noes 131; Majority 28.
Main Question put, and *agreed to:*—Select Committee *appointed.*
And, on May 22, Committee *nominated:*—List of the Committee .. 2054

Peace Preservation (Ireland) Bill [Bill 145]—
Moved, "That the Bill be now read a second time,"—(*The Marquess of Hartington*) 2054
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Sherlock.*)
After debate, Question put, "That the word "now" stand part of the Question:"—The House *divided;* Ayes 223, Noes 38; Majority 185.
Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *To-morrow.*

Juries Bill [Bill 35]—
Bill *considered* in Committee 2071
After short time spent therein, Committee report Progress; to sit again upon *Thursday* next.

LORDS.

NEW PEERS.

Tuesday, May 6.

Edward Berkeley, Baron Portman, created Viscount Portman of Bryanston, County Dorset.

Sir Robert Alexander Shafto Adair, baronet, created Baron Waveney of South Elmham, County Suffolk.

Monday, May 12.

James Charles Herbert Welbore Ellis, Earl of Normanton in that part of the United Kingdom of Great Britain and Ireland called Ireland, created Baron Somerton of Somerley, County Southampton.

SAT FIRST.

Monday, April 28.

Viscount Canterbury, after the Death of his Brother.

Monday, May 5.

The Lord Churston, after the Death of his Grandfather.

Representative Peer for Ireland. (*Writ and Return.*)

Monday, April 21.

Lord Inchiquin, *v.* Lord Kilmaine, deceased.

COMMONS.

NEW WRITS ISSUED.

Monday, April 28.

For *Bath*, *v.* Sir William Tite, deceased.

Thursday, May 1.

For *Gloucester City*, *v.* William Philip Price, esquire, Chiltern Hundreds.

NEW MEMBERS SWORN.

Monday, April 21.

Tyrone County—Hon. Henry William Lowry Corry.

Wednesday, May 7.

Bath—Hon. George Henry (Cadogan), Viscount Chelsea.

Monday, May 12.

Gloucester City—William Killigrew Wait, esquire.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

Fifth Session of the *Twentieth Parliament* of the
United Kingdom of *Great Britain* and *Ireland*,
Appointed to meet 10 December, 1868, and thence
continued till 6 February, 1873, in the Thirty-
Sixth Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF THE SESSION.

HOUSE OF LORDS,

Monday, 24th March, 1873.

MINUTES.]—Public Bills—*First Reading*—Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) * (46).

Second Reading—Custody of Infants (38).

Committee—Poor Allotments Management * (20-43).

Committee—Report—Bastardy Laws Amendment (29-44); Supreme Court of Judicature (14-45).

Royal Assent—Local Government Provisional Orders [36 *Vict.* c. i].

BASTARDY LAWS AMENDMENT BILL.

(*The Earl of Shaftesbury.*)

(No. 29.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do resolve itself into Committee."—(*The Earl of Shaftesbury.*)

THE MARQUESS OF SALISBURY suggested that the Bill should be sent to the Committee *pro formâ.* He would remind their Lordships that on the second reading he drew attention to the unsatisfactory state of the existing law with regard to cases of bastardy, and pointed out that even with the Amendment which this Bill proposed to make, no real improvement would be effected. As their Lordships were doubtless aware, the Bill had been introduced with the object of remedying a curious slip in the Act of last Session. It had been rendered necessary through a blunder of the other House, and it was no doubt highly necessary that the blunder should be rectified as soon as possible. But as the Legislature had commenced once more to deal with the matter he thought they should not confine themselves to the defect in the Act of last Session, but see to improve the whole law. At present the law was so complicated and puzzling that it was a troublesome and difficult matter to ascertain accurately how cases of this description should be dealt with. By way of illustration, he might refer to Clause No. 3, which altered certain forms in an enactment of

1845; but on referring to that Statute he found it was one explaining, referring to, and reciting another Act which had been repealed, so that some of the Act of 1845 rested on nothing at all, and Clause 3 of this Bill altered forms which had not now any existence at all. In fact, these forms were placed in mid-air, with nothing in particular for them to rest upon, and the clause referred to forms which had no legitimate existence whatever. It was not surprising that with such a law as this justices of the peace and others should be puzzled how to dispense the law, and that the law should work unsatisfactorily. No blame whatever rested on Mr. Charley who introduced the Bill in the other House—the alterations to which he had just referred were made during the progress of the Bill through that House. If their Lordships committed the Bill *pro formâ*, he (the Marquess of Salisbury) would on the Report introduce Amendments which would repeal any portions of former Acts which it was necessary to deal with, and would re-enact any provisions in those Acts which it was thought necessary to continue. This he thought was a more workmanlike way of proceeding than that of referring to a number of previous Statutes without quoting the portions that were to remain in operation. He believed there was no difference on the matter between him and the noble Earl (the Earl of Shaftesbury) who had charge of the Bill, and he thought the mode of proceeding which he proposed had the sanction of his noble Friend the Chairman of Committees, whose opinion on questions of form their Lordships all so much respected. He might add that he did not think his noble and learned Friend on the Woolsack had any objection to the Amendments in point of form. He (the Marquis of Salisbury) begged, therefore, to move that the Bill be now committed *pro formâ*, so as to enable him to have his Amendments printed. When the Bill next came before their Lordships they would have full opportunity for discussing any Amendments and additions which he might propose.

THE EARL OF SHAFTESBURY said that, as his noble Friend had explained, neither he nor Mr. Charley was answerable for the portion of the Bill that required correction. His only wish was to have the object of the Bill carried out in the most effective manner; and, therefore, he had no objection to the course proposed by the noble Marquess.

THE LORD CHANCELLOR said, he had looked over the Amendments which the noble Marquess proposed to insert in the Bill, and he could not see any objection to them in point of form. But he would suggest to his noble Friend who had charge of the Bill (the Earl of Shaftesbury) whether in its next stage a clause ought not to be introduced to confirm orders made by justices in ignorance of the flaw which had been discovered in the Act of last Session.

Motion *agreed to;* House in Committee accordingly; Bill *reported* without Amendment; Amendments made; Bill *recommitted* to a Committee of the Whole House on *Thursday* next; and to be *printed* as amended. (No. 44.)

CUSTODY OF INFANTS BILL—(No 38.)

(*The Lord Chelmsford.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD CHELMSFORD, in moving that the Bill be now read the second time, said, the object of the measure, which had come up from the Commons, was to extend the power of the Court of Chancery with regard to the custody of infants in cases where differences existed between the parents, and the family home had been broken up. Before 1839 the position of a wife, driven from her home and compelled to separate herself from her husband by reason of his misconduct, was very miserable; because she might have been deprived of all access to her infant children and from all intercourse with them. By an Act passed in that year, which was known as Talfourd's Act, that position was slightly alleviated. Talfourd's Act empowered the Court of Chancery not only to give the mother access to her children, but also to order them to be delivered up to her and remain in her custody till they were seven years old; but with regard to children above that age there was very little mitigation of the state of things existing previously to 1839. The position of a wife separated from her husband was rendered still more distressing in consequence of the manner in which the Court of Chancery dealt with separation deeds. At the present moment, by cruelty and adultery the husband might drive the wife from her home, and she, to avoid the scandal arising from proceedings in the Divorce Court, might agree to a deed of separation. This deed might contain a clause giving the children to the mother; but if so, the deed was not in the slightest degree binding, because if the husband did not choose to be bound by it, and refused to give her the children, and if she appealed to the Court of Chancery for its interpretation, the Court must refuse its aid on the ground that it was contrary to public policy for the husband to relinquish his duty in the care and management of his children. If the conduct of the husband had been so gross that in the opinion of the Court he was not a fit person to have the custody of his children the Court, might by means of a clause in the separation deed hand them over to the wife; but before the Court would take that step it must be proved to its satisfaction that the conduct of the husband had been so gross that the removal of the children was positively necessary in their own interests. No cruelty to the wife, and no adultery, except it were committed in the home of the children, would induce the Court of Chancery to enforce a separation deed of that kind. This rule of the Court had consequently the effect of preventing that which was so frequently sought—a private arrangement whereby the scandal of publicity was avoided. The Divorce Court had assumed the power of directing, in the case of a judicial separation, in the custody of which parent the children should remain; but no judicious adviser would counsel a wife to resort to the Divorce Court if a proper arrangement for herself and her children could be come to without recourse being had to such a step. The late Lord Penzance had stated a very strong opinion in favour of private deeds rather than Court orders for the separation of a husband and wife who had differences. There was another reason why private arrangements should be favoured—that private deeds left the door open for reconciliation, while proceedings in the Divorce Court completely closed it. The main clauses of this Bill were only two in number. The first empowered the Court of Chancery to order the wife access to and the custody of infants under 16 years old. That age was mentioned because it was the one at which in this country children had the legal right of choosing their own guardians. The second clause provided that no deed of separation was to be held invalid by reason of its containing a provision that the father shall give up the custody and control of the children to the mother; but there was a proviso that the Court need not enforce such a provision if it should be of opinion that it would not be for the benefit of the children to give effect to it. The third clause enacted that nothing contained in the Bill should render valid any agreement by the father to give up the custody of the children on condition of any pecuniary consideration to be paid to the father. He proposed to strike out that clause as unnecessary, seeing the power that was to be given to the Court of Chancery by the other clauses. Some persons were anxious to have this Bill extended to Scotland; but that could not be done, the law as regards infancy being quite different in Scotland from what it was in this country. In Scotland a child of 14 years old might choose its own guardian.

Moved, "That the Bill be now read 2^a" —(*The Lord Chelmsford.*)

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

SUPREME COURT OF JUDICATURE BILL—(No. 14.) (*The Lord Chancellor.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

THE LORD CHANCELLOR said, that though he proposed to move that the House go into Committee on the Bill, according to Notice, he proposed that it should only be committed *pro formâ*, and with the view of inserting, on the Report, Amendments which might be printed before the Bill came on to be regularly discussed in Committee. Under these circumstances, he hoped the noble Lord (Lord Denman) who had given Notice of a Motion to defer the Committee on the Bill for six months would not think it necessary to move that Amendment to the Motion which he was now about to make. He had intended, with the permission of their Lordships, that the Committee on the Bill should be taken next Monday; but as the noble Duke (the Duke of Somerset) had postponed his Notice on the subject of the works at Alderney to that evening, he would name to-morrow week for discussing this Bill in Committee.

Moved, "That the House be now put into a Committee on the said Bill."—(*The Lord Chancellor.*)

Lord DENMAN, yielding to the request of the noble and learned Lord on the Woolsack, would not move his Amendment.

Motion *agreed to;* House in Committee accordingly; Bill *reported*, without Amendment; Amendments made; Bill *re-committed* to a Committee of the Whole House on *Tuesday* the 1*st of April* next; and to be *printed* as amended. (No. 45.)

House adjourned at a quarter before Six o'clock, till To-morrow, Twelve o'clock.

HOUSE OF COMMONS,

Monday, 24*th March*, 1873.

MINUTES.] — Select Committee — Coal, Mr. John Stewart Hardy *discharged*, Mr. Elliot *added.*

Supply—*considered in Committee*—Navy Estimates.

Resolutions [March 21] *reported.*

Ways and Means — *Resolutions* [March 21] *reported.*

Public Bills—*Resolution in Committee*—East India Company's Stock (Redemption of Dividend) *; East India (Loan) *.

Ordered — *First Reading* — Consolidated Fund (£9,317,346 19*s.* 9*d.*) *.

Second Reading — Endowed Schools Address * [94]; Elementary Education Provisional Order Confirmation (No. 1) * [95]; Elementary Education Provisional Order Confirmation (No. 2) * [96]; Mutiny *; Land Drainage Provisional Order * [97].

Select Committee—Metropolitan Tramways Provisional Orders * [76], *appointed.*

Third Reading—Salmon Fisheries Commissioners* [85], and *passed.*

Withdrawn—Admiralty and War Office Rebuilding * [40].

PARLIAMENT—BUSINESS OF THE HOUSE.

Mr. GLADSTONE: Perhaps it may be for the convenience of the House if I now make an announcement with reference to the course of Business before Easter so far as the Government are concerned. My right hon. Friend the First Lord of the Admiralty has, I hope, been able to make arrangements for getting into Committee of Supply to-night, and I trust that he will be able to obtain the first Vote, because it is essential for the public service that money should be taken for naval purposes during the present week. Thursday we shall give up to those unofficial Members who treated us so courteously in giving way to enable us to proceed with the University Education (Ireland) Bill. Next week it will be requisite to make some further progress with the Estimates if we can, but especially to proceed with the Committee on the Bill of my right hon. Friend the President of the Board of Trade—the Railway and Canal Traffic Bill—so that, if possible, we may make effectual progress with the measure before Easter. On Monday, the 7th of April, my right hon. Friend the Chancellor of the Exchequer proposes to submit the Financial Statement; but he will not ask of the House any Vote which will, in any degree, tend to prejudge any question that the Statement may raise or may be thought to raise. As to the Adjournment of the House for the Easter holidays, we propose to take it either on Monday, the 7th, or Tuesday, the 8th, whichever date may be most convenient, and to reassemble on Monday, the 21st of April.

BOARD OF TRADE—PORTPATRICK HARBOUR.—QUESTION.

Mr. AGNEW asked the President of the Board of Trade, If the Light at Portpatrick Harbour will be maintained?

Mr. CHICHESTER FORTESCUE, in reply, said, that the light would be maintained, and the necessary provisions for that purpose would be inserted in the Portpatrick Harbour Bill, now before the House.

HAMPTON COURT GREEN.—QUESTION.

Sir CHARLES DILKE asked the Chief Commissioner of Works, If he has received a protest, from the Homage of the Manor of Hampton Court, against the erection of a close fence, about eight feet in height, inclosing a portion of Hampton Court Green, which inclosure is asserted to be contrary to the award made on the passing of the Hampton Inclosure Act, 1812; and, whether the erection of such fence has been sanctioned by Her Majesty's Office of Works; and, if not, whether it is the intention of the representatives of the Crown to take steps to abate the encroachment.

Mr. AYRTON: In consequence of information I received I communicated with the owners of the property adjoining this ground, and requested that the fence should be removed. I am informed that the owners of the property have complied with the request.

JURIES ACTS (IRELAND.)—QUESTIONS.

Mr. VANCE asked the Chief Secretary for Ireland, If he has any objection to lay upon the Table of the House, Copies of any Communications made to Government by the Chamber of Commerce of Dublin, or any other public bodies in Ireland, in reference to the qualification for Jurors under the Acts of 1871 and 1872?

The Marquess of HARTINGTON, in reply, said, he had no objection to publish the communications though he thought the more convenient course would be to lay them, not on the Table of the House, but before the Select Committee for which it was proposed to move to inquire into the subject.

Lord CLAUD JOHN HAMILTON asked the Chief Secretary for Ireland, Whether any of Her Majesty's Judges have made any Reports upon the Juries Act (Ireland); and, if so, whether he would have any objection to lay them upon the Table of the House?

The Marquess of HARTINGTON, in reply, said, he was not aware that any of the Judges had made any formal Report on the operation of the Act, though no doubt unofficial communications had been received from some of them. As it was intended to inquire into the operation of this Act by means of a Select Committee, it would probably be convenient that some of the Judges should be examined by that Committee.

MERCANTILE MARINE— THE "HINDOO" AND "PARGA."

QUESTIONS.

Mr. PLIMSOLL asked the President of the Board of Trade, Whether he has caused any inquiry to be made into the condition of the case of the "Hindoo," preparing to leave Plymouth for India, after having been twice obliged to put back from alleged unseaworthiness, and also into the case of the "Parga," now lying in the Saint Katherine Docks, and destined for Buenos Ayres; or, if not, whether he will do so?

Mr. CHICHESTER FORTESCUE: Sir, I will tell the hon. Gentleman all that I have been able to learn about the ships to which he called my attention three days ago. On hearing from him I immediately took steps to ascertain the truth with respect to these vessels. First, as to the steamship *Hindoo*, I find the state of the facts as far as I can learn is as follows:—The *Hindoo* was built on the Clyde for a Hull firm named Wilson and Co. I am told she cost £70,000, and her gross tonnage was 3,000 tons. She was built under the survey of the Liverpool Underwriters Association, and classed A 1 for 20 years —the highest class that can be given. She was surveyed by the Board of Trade surveyors at Glasgow, and obtained her passenger certificate. She came to London, and was again surveyed, and being destined for the Calcutta trade she sailed from London for that port. She met with bad weather and put in at Plymouth —where she was to have called for passengers — considerably damaged, with her steam-pipe valve injured, her steering gear out of order, and the ship making water, more or less. She was surveyed again at Plymouth by the surveyors of the Liverpool Underwriters Association and passed by them; but the Board of Trade surveyor was not satisfied, and her Board of Trade certificate was cancelled. She was sent back to London, where she discharged her cargo and where she was repaired and strengthened, I am informed, at a large expense. She went again on her voyage and put in at Plymouth to take up passengers. There was a trifling defect in her steam-pipe, but nothing at all serious. She proceeded on her voyage, and is, I believe, now at Port Said. So much for the *Hindoo*. I ought to add, that just as I came to the House, I had information from her owner that she had been insured for £45,000, and is valued at £80,000. With respect to the other vessel, the *Parga*, she was found in St. Katherine Docks. She was surveyed by the Board of Trade surveyors, who, so far as they can judge from the appearance of the ship, consider her unseaworthy. She was declared unseaworthy, and steps have been taken to prevent her going to sea, under the recent Act of 1871. I have to thank the hon. Gentleman for enabling me to put these powers in motion. This is the first time the hon. Gentleman has given me information of unseaworthy ships that have come to his knowledge, and I am glad that in this instance information was given which may prevent an unseaworthy ship going to sea.

Sir JOHN PAKINGTON asked a Question of which he had given private Notice—namely, Whether the Board of Trade had received any information with respect to two ships named the *Knight Templar* and the *Paladin?* According to the information which had reached him the *Knight Templar*, an entirely new ship, went to sea with a cargo on the 1st of February, and on the 3rd of February, 48 hours afterwards, she foundered and sank. The *Paladin*, as he understood, was also a new ship, and, having just gone to sea, was seriously injured. He wished to know whether it was the intention of the Board of Trade to institute an inquiry as to the circumstances attending the disasters to those vessels?

Mr. CHICHESTER FORTESCUE in reply, said, that the *Knight Templar* was a new ship, Class A 1 for twenty years in the Liverpool Underwriters Association, and she had also a Board of Trade passenger certificate. It was a fact that she had been lost on her first voyage, and an inquiry would be made into the circumstances. With respect to the *Paladin*, as some preliminary steps were necessary before an inquiry should be ordered, he would say nothing further about her at present.

IRELAND — CIVIL SERVICE — REPORTS OF THE COMMISSIONERS.—QUESTION.

Mr. PLUNKET asked the Chief Secretary for Ireland, Whether he will now lay upon the Table of the House the Reports made to the Government before the beginning of the present Session by the Commissioners appointed to inquire into the case of the Irish Civil Service?

The CHANCELLOR of the EXCHEQUER (for The Marquess of Hartington) said, that three Reports had been received, one at the beginning of the Session, the other two more recently. There had not been time to consider the Reports, and as they contained matters of great importance, it would not be proper to lay them on the Table before the Government had an opportunity of making up its mind on the subject. He could not say how soon they would be able to do so.

POST OFFICE—NEWSPAPERS.

QUESTION.

Mr. M'MAHON asked the Postmaster General, What is the object of the Post Office Regulation that

> "All publications registered for transmission abroad must be posted within eight days from the date of publication, including that day; and any newspaper posted more than eight days after the date of publication, as well as any unregistered publication, must be prepaid at the book rates of postage:"

and, what is the average annual number of newspapers and publications infringing the above regulation, which are consequently lost both to the senders and addressees, and what becomes of them?

Mr. MONSELL: The object, Sir, of the Regulation is to prevent the posting of large masses of newspapers just before the despatch of a mail, which would obviously cause great inconvenience to the Post Office. In order, however, to provide for the transmission of newspapers more than eight days old, they may be posted at the book-rate of postage. The number of newspapers more than eight days old and of unregistered publications posted during the year 1872 was about 118,000, of which about 11,800, or a tenth part, were returned to the senders; the remainder being disposed of, after a short detention, as waste paper. The number of such newspapers is, owing to the measures adopted by the Department, continually diminishing.

ARMY—(INDIA)—SUPPLY OF BREECH-LOADERS.—QUESTION.

Lord EUSTACE CECIL asked the Under Secretary of State for India, Whether it is the fact that the native troops of the Indian Army are not armed with breechloaders; and, if so, to what reason it is to be attributed?

Mr. GRANT DUFF: In reply, Sir, to the noble Lord, I have to say that as the whole of the British troops in India are now armed with the Snider Rifle, the Enfield rifles formerly used by them are being distributed to the native troops. The Enfield rifle being superior to any weapon which the native troops can for a long time be called on to face, it was the opinion of the Government of India that this was the best arrangement to adopt for the present, as it was of course the most economical.

ARMY—RELIEFS—NORTH AMERICA AND THE WEST INDIES.

QUESTION.

MAJOR ARBUTHNOT asked the First Lord of the Admiralty, Why the recent relief of troops in North America and the West Indies was carried out at seasons interdicted by the Queen's Regulations, paragraph 1172; whether this contravention of the order regulating reliefs might not have been avoided by sending Her Majesty's ship "Tamar" to North America, and Her Majesty's ship "Himalaya" to the West Indies; and, whether he can state the lowest point, as recorded in the ships logs, at which the thermometer stood during the outward voyage of the "Himalaya" and the homeward voyage of the "Tamar?"

MR. GOSCHEN, in reply, said, the Regulations provided how reliefs should be carried out as far as practicable, but there was no absolute direction. No doubt the War Office and the Admiralty had endeavoured to carry out the system as indicated in the Regulations. In the present case the reliefs could not be carried out in the manner suggested by the hon. and gallant Gentleman, because the *Tamar* had only just taken out troops to the West Indies and Bermuda, and she arrived so late that it was impossible for her to make the return voyage in time. The *Himalaya* came from the Cape, and during her passage encountered very rough weather, which occasioned her some damages which it was necessary to repair, and that caused some delay. In going out, too, she encountered particularly bad weather. The lowest point at which the thermometer stood during the outward voyage of the *Himalaya* was twenty-three degrees, near Halifax. He was not able to give the state of the thermometer in the case of the *Tamar*.

ARMY—MILITIA ADJUTANTS (IRELAND).—QUESTION.

LORD CLAUD HAMILTON asked the Secretary of State for War, Whether he will take into his consideration the propriety of granting to Militia Adjutants in Ireland the same allowance for a servant as that allowed to Sub-Inspectors of Constabulary?

MR. CARDWELL: Sir, Before 1859 Adjutants of Militia received no allowance for servants; but since the Report of the Royal Commission they have received the same allowance as officers of the Army and Adjutants of Volunteers. It is not intended to make any difference between them.

ELEMENTARY EDUCATION ACT, 1870.

QUESTION.

MR. DIXON asked the Vice President of the Council, When he will introduce the Bill for the amendment of the Education Act of 1870?

MR. W. E. FORSTER in reply, said, that from what his right hon. Friend at the Head of the Government had stated with regard to the Business before Easter, his hon. Friend would not be surprised to find that he would not be able to bring in the Bill before the holidays. If his hon. Friend would put the Question again before the holidays, he would endeavour to give a more precise and satisfactory answer.

LAW OFFICERS OF THE CROWN—THE ATTORNEY GENERAL.—QUESTION.

MR. RAIKES asked Mr. Chancellor of the Exchequer, Whether the recent resignation of Her Majesty's Government has produced any change in the official emoluments of the present Attorney General, in consequence of the Treasury Minute which has lately modified those emoluments in the case of Law Officers of the Crown appointed subsequently to 1872?

THE CHANCELLOR OF THE EXCHEQUER in reply, said, that the event alluded to by the hon. Gentleman would not produce any change in the official emoluments of the Attorney General. The change in the emoluments of the Law Officers of the Crown was brought about mainly by the Act of last Session, and the Treasury Minute had no force except by that Act, which expressly exempted his hon. and learned Friend from its operation. His hon. and learned Friend held his office by a Patent which was granted some years ago, which was still in full force and virtue.

FRANCE—TREATY OF COMMERCE, 1860.

QUESTION.

MR. BOWRING asked the Under Secretary of State for Foreign Affairs, What arrangements have been made by Her Majesty's Government for the protection of British interests, in consequence of the recent termination of the French Treaty of Commerce of 1860, pending the ratification by the Government of France of the new Commercial Treaty with that country?

VISCOUNT ENFIELD: Sir, Her Majesty's Government did not fail to make representations to the French Government on the subject, and the following Law, continuing the existing Treaty Tariff, was passed on the 14th instant by the French National Assembly, and has been promulgated by the French Government:—

> "Les Tarifs conventionnels resteront en vigueur jusqu'à l'application des Tarifs nouveaux votés ou à voter par l'Assemblée Nationale."

And the following translation—

> "The Conventional Tariffs will remain in force until the application of the new Tariffs passed or to be passed by the National Assembly"—

was published in *The London Gazette* of the 18th instant.

IRELAND — GALWAY MAGISTRACY— CASE OF MR. DICKSON.—QUESTION.

COLONEL COLE asked the Chief Secretary for Ireland, Whether his attention has been called to a statement in a letter which appeared in "Saunders's Newsletter," of the 6th February, signed by Alexander Dickson, that the Lord Chancellor of Ireland superseded Mr. Dickson in the Commission of the Peace for the county of Galway, on the grounds that he had neither residence nor property in that county; whether this statement is accurate; and, whether the Lord Chancellor of Ireland, before issuing such supersedeas, made inquiry as to whether Mr. Dickson had any property in that county, and from whom?

THE MARQUESS OF HARTINGTON, in reply, said, he had made inquiries into the circumstances of the case, which

The Chancellor of the Exchequer

were as follows:—For some time past a revision of the Irish magistracy had been in progress, and Returns had been asked for from various counties. In the Return furnished to the Lord Chancellor by the Lieutenant of the county of Galway the following entry appeared:—

> "Alexander Dickson—Was an agent. Has now left county."

The usual printed Circular asking for information as to the county of Galway was, on the receipt of the Lieutenant's Return, sent by the Lord Chancellor's Secretary to Mr. Dickson. To this Circular Mr. Dickson replied in a letter, from which the following is an extract:—

> "That I am proprietor of property with an annual rental of several hundred pounds in the counties of Galway and Roscommon; that I annually visit the former county, and occasionally act as a Justice of the Peace; that I have let my residence in Galway for a short term of years; that my duties as a land agent require my frequent presence in the counties of Fermanagh and Monaghan; that Lord Erne, Lord Lieutenant of the county of Fermanagh, has promised to recommend me for the Commission of the Peace on my procuring a residence in that county, but I have been unable to procure such residence; that I expect if his Lordship exercises his discretion of removing me from the Commission of the Peace of Galway he will grant me the Commission for Fermanagh."

This letter came before the Lord Chancellor when revising the list for Galway, and his Lordship directed Mr. Dickson's name to be removed on the following grounds — 1. The want of residence. 2. That his property, if any, in Galway was too small to warrant retaining on the roll the name of a non-resident gentleman. Notice having been given to Mr. Dickson of the expulsion of his name from the list on the ground of want of property and residential qualification, that gentleman wrote to the Lord Chancellor a letter dated January 23, 1873, containing the following statement:—

> "I have property in the county of Galway. Any statement to the contrary is untrue."

To the last letter a reply was given, from which the following is an extract:—

> "I am desired by the Lord Chancellor to acquaint you that his Lordship will be happy to re-instate you in the Commission of the Peace for the county of Galway on being informed as to the nature and extent of your property in that county."

This information has never been given by Mr. Dickson, and therefore no step has been taken towards restoring his name to the list. Mr. Dickson was also informed that the Lord Chancellor would favourably consider any recommendation of him by Lord Erne, the Lieutenant of Fermanagh. No reply had been received to that communication.

UNITED STATES—THE GENEVA AWARD.—QUESTION.

Mr. VERNON HARCOURT asked the First Lord of the Treasury, Whether he intends to make provision for the payment of the sum awarded by the Tribunal of Geneva in the month of September last, out of the balance yielded by the excess of revenue collected in the current quarter; and, if so, whether any vote with that object will be proposed to the House in the course of this week before the close of the financial year on the 31st instant, at which date the surplus of the quarter will become vested and appropriated by statute to other purposes?

Mr. GLADSTONE: Sir, it is not intended to propose any Vote during the course of the present week, or with reference to the finance of the present year. My right hon. Friend the Chancellor of the Exchequer, when he makes his Financial Statement, will, of course, state the views of the Government with reference to the method of making provision for the sum due to America under the Award made by the Tribunal of Geneva; but I may state, what probably the hon. and learned Member may not be aware of, that if such a Vote were taken during the course of the present week, as his Question appears to suggest, it would be necessary to make the payment at once to America; for if the payment were not made at once to America, the sum must be returned to the Exchequer before the end of the financial year. And with regard to making the payment at once to America, it ought to be borne in mind that this country is already called on, as a portion of the sum we have been adjudged to pay, to pay very large sums in the shape of interest of money, although that sum for interest is not specifically due at the present time. But we have not thought it our duty to make a charge on the present year in respect of a sum, the proper time for settling which will not arise for several months.

LOCAL GOVERNMENT BOARD—INSPECTORS AND HEALTH OFFICERS. QUESTION.

Mr. CORRANCE asked the President of the Local Government Board, in consequence of a letter recently issued from the Local Government Board respecting the appointment of Inspectors and Health Officers, Whether it is the intention of the Local Government Board to issue any general instructions to the local authorities concerning their appointments, indicating with greater precision the intention of the Local Government Board to disallow subventions, or to prohibit certain appointments?

Mr. STANSFELD, in reply, said, he was not aware of the letter to which the hon. Gentleman referred, and he did not think it would be desirable to issue any further general instructions more precise or more rigid than those which had been for some time issued with regard to the appointment of medical officers and inspectors. The policy of the Local Government Board was not to tie the hands of the local authorities by minute restrictions, but to consider each case on its own merits, and to spare neither time nor patience in discussing with the local authorities what might be best for their own interest. If his hon. Friend wished to move for any letters which had been issued he would be happy to lay them on the Table.

LOCAL TAXATION—EXEMPTION OF REAL PROPERTY.—QUESTIONS.

Sir JOHN ST. AUBYN asked the President of the Local Government Board, Whether it is the intention of Her Majesty's Government to endeavour to pass an Act this Session to abolish the exemption now enjoyed by such real property as does not at present contribute towards local rates?

Sir MASSEY LOPES said, he wished, before the right hon. Gentleman replied, to ask, Whether it is the intention of the Government to introduce a comprehensive measure on this subject as indicated in the Speech from the Throne, and as promised before the end of last Session by the First Lord of the Treasury; or whether the measure intended to be brought forward would be of a piecemeal character? There being now no great question before the House, he wished, also, to know when it is intended to introduce the Bill.

Mr. STANSFELD, in reply, said, with regard to the Question of his hon. Friend the Member for West Cornwall (Sir John St. Aubyn) he had to state that the Government proposed to introduce, and he hoped they would be able to pass, a measure of which the repeal of the exemption of certain classes of real property from local rates would form a part. With respect to the Question of his hon. Friend the Member for South Devonshire (Sir Massey Lopes) of which he had not received sufficient notice to enable him exactly to anticipate the nature of his Question, all he could say was that he was not able at that moment to define the extent of the measure, one portion of which he had just explained. As far as his individual opinion was concerned, having had no opportunity of consulting his Colleagues, it did not strike him as the most advisable course to endeavour to deal with the whole of the large subject which went popularly by the name of local government and local taxation, in one measure. As to the time when it would be introduced, whatever its dimensions, he was not able to answer the Question of the hon. Baronet on the spur of the moment.

EGYPT—SIR SAMUEL BAKER.

QUESTION.

Lord RONALD GOWER asked the Under Secretary of State for Foreign Affairs, Whether any information regarding Sir Samuel Baker has of late been obtained; and, whether any steps have been taken by the Khedive to rescue him from his supposed perilous situation?

Viscount ENFIELD: Sir, Colonel Stanton reports from Cairo, under date March 5, that the Director of the British Indian Telegraph Company had received a telegram from Khartoum to the following effect:—

> "Yesterday, the Governor of Soudan proceeded up the White Nile with nine boats, taking from Fashooda 500 soldiers, and I hear his object is to go to Gondokoro to meet Baker Pasha—Sir Samuel Baker—in order to supply him with provisions and whatever else he may require, also to ascertain his news, which will be communicated later."

THE NAVY ESTIMATES.

POSTPONEMENT OF MOTIONS.

Mr. GOSCHEN said, he wished to appeal to the noble Lord opposite (Lord Henry Lennox), to the hon. and gallant Baronet the Member for Portsmouth (Sir James Elphinstone), and the hon. Member for Hastings (Mr. Brassey), all of whom had Motions on the Paper on the Order for Supply, to postpone them, so as to enable them to proceed at once to the discussion of the Navy Estimates. It was most important that they should obtain some of the Votes before the 1st of April; and if the noble Lord and the other hon. Members gave way he would put down the Navy Estimates first on Thursday week, so as to enable them to bring on their Motions then.

Lord HENRY LENNOX said, that if the state of Business had been the same this year as it was last he must have refused the request of the right hon. Gentleman; but on the present occasion he was quite willing to accede to his appeal, on the understanding that they would have Thursday week for the Navy Estimates.

Sir JAMES ELPHINSTONE said, he was sorry he could not accede to the suggestion of the right hon. Gentleman. He had given long Notice of his Motion; and as he stood first on the Paper he was anxious to persevere with it. They had already lost many weeks in efforts at sensational legislation, which had ended disastrously for the Government.

Mr. BRASSEY consented to postpone the Motion of which he had given Notice respecting the Naval Reserves.

SUPPLY.

Order for Committee read.

NAVY—HALF PAY OF OFFICERS.

OBSERVATIONS.

Sir JAMES ELPHINSTONE rose to call attention to the subject of the Half-pay of Officers of the Navy of all ranks. The hon. and gallant Baronet said, that the changes and chances of this life were so uncertain that he could not accede to the request of the right hon. Gentleman the First Lord of the Admiralty, but must seize the present opportunity of bringing forward his Motion. Hon. Members must all deplore the loss of one (the late Mr. Corry) who had for so many years assisted in their deliberations, and whose great ability and experience had shed a light on naval questions which no other Member of this House could possibly supply. The Motion he had to submit to the consideration of the House had reference to the inadequacy of the half-pay of officers of the Navy. The proportion of officers on half-pay was as follows:—Captains, 63 per cent; commanders, 49 per cent; lieutenants, 33 per cent; navigating lieutenants, 35 per cent; paymasters and secretaries, 38 per cent; and surgeons, 35 per cent. It was quite clear that gentlemen in enforced retirement occupied a position of very great difficulty. Under the retirement scheme of the right hon. Gentleman the Member for Pontefract (Mr. Childers), the active lists of captains and commanders respectively underwent a reduction to 150 and 200. In January, 1870, there were upon the list 292 captains and 401 commanders; now the numbers were 226 and 309. In 1868 there were 107 captains and 190 commanders employed; now there were only 85 captains and 158 commanders. Yet his right hon. Friend (Mr. Childers), in moving the retirement scheme, held out the hope of more frequent employment as one of the inducements for its adoption. Then the Government proceeded to reduce the following appointments for naval officers:—The dockyards at Deptford, Woolwich, and the Cape of Good Hope, the senior officer at Ascension, the victualling yard at Plymouth, the receiving ships at Portsmouth and Plymouth, the barracks at Sheerness, the captain superintendent of packets at Southampton, the deputy controller of the Coastguard, the naval *attachés* at Paris and Washington, and commodores in the South Pacific, the East Indies, and Brazil. Besides, there had been a general reduction of the squadrons on foreign stations. He particularly desired to draw the attention of the House to the fact that the half-pay of commanders had not been increased since the year 1813. The number of Good Service Pensions had been reduced from 25, as settled by the Order in Council of February, 1870. The fact that those pensions were to be 25 in number induced many persons to accept the new scheme; but on the 9th of August, 1872, the right hon. Gentleman now at the head of the Admiralty reduced the number to 12. This he held to be a deliberate breach of faith. According to the retirement scheme of his right hon. Friend the Member for Pontefract, the captains who might have arrived at the age for retirement, but who had not served the whole of the time necessary to qualify them for their flag rank, were not allowed to assume the title of rear-admiral upon reaching the top of their list. This was felt to bear hard upon such retired captains, as they were the only branch of the service who were not allowed an honorary step; and, moreover, these were officers who for the most part had served long and well in the junior ranks, but lacking interest, had not risen as fast as their younger brethren. He wished to draw the attention of the House to the difference between the half-pay of officers in America and in this country. In our Navy the first 50 captains on the list received £301 2*s.* 6*d.* a-year half-pay; the second 50 received £264 12*s.* 6*d.*; and the remainder £228 2*s.* 6*d.* In the United States Navy, however, all captains who were "awaiting orders," or, in other words, on half-pay, received £583 6*s.* 8*d.* a-year. Again, in the British Navy the first 100 commanders on the list received £182 10*s.* a-year, and the remainder £155 2*s.* 6*d.*; while in the United States Navy all commanders unemployed or "awaiting orders, received £479 3*s.* 4*d.* Formerly our officers, when employed, had many opportunities of supplementing their resources by prize money, salvage, and freight money, but these now scarcely existed except in name. The appointments of captains commissioning ships were in many cases only made for two years; they were unable, in consequence, to clear off the debt which they were obliged to incur for their outfit, and which remained an incubus when they reverted to their miserable half-pay, leaving them, in point of fact, worse off than when they obtained the appointment for which they had waited so many years. Captains and commanders were excluded from the rule granting all other officers a certain amount of full-pay leave when returning from lengthened foreign service. This was unjust, especially as officers in command had to remain for some time in the vicinity of the port where their ships were paid off to sign papers and clear their accounts. He would now refer to the grounds on which he asked for an increase of the half-pay of the officers of the Navy. One hundred years ago—in February, 1773—an increase of half-pay was granted to the officers of our Navy. Such great importance was attached to the circumstance that the Royal Naval Club resolved that there should be a call of all the members of the society to commemorate it, and that the healths of the several speakers on the occasion should be drunk in bumpers — namely, Lord Howe, Captain Pigott, Captain Phipps, Sir G. Saville, Colonel Barry, Lord John Cavendish, Sir Gilbert Elliott, Mr. Hawke, Mr. Grosvenor, Mr. Boscawen, Mr. Mackworth, Sir William Meredith, Sir Piercy Brett, and Mr. Dowdeswell. Moreover, the several sea officers instrumental in passing the vote of the House of Commons for augmenting the half-pay were invited to dine with the society. He only wished that there was such a phalanx of naval officers in the House now as there was then. This was exactly 100 years ago. The scale of half-pay of captains prior to the change referred to was per diem to the first 20, 10*s.*; to the next 30, 8*s.*; to the next 40, 6*s.*; to the remainder, 5*s.*; masters and commanders, 4*s.* The increase appeared to have been as follows:—As addition of ten captains to the 10*s.* list; 20 to the 8*s.* list; and to the remainder (including masters and commanders), 6*s.* The price of provisions had gone up 100 per cent. The Royal Naval Club of 100 years ago contracted for their dinners at 2*s.* 6*d.* a head in Henrietta Street, Covent Garden; the master of the Club remonstrated upon the inadequacy of the charge, and the result was that the 2*s.* 6*d.* was raised to 3*s.* He had gone into details far later than 100 years ago, and he would state to the House the rapid rise in the price of provisions, which had taken place within the last 15 years. In the interval between 1858 and 1872 the increase in the price of bacon had been 46 per cent; in beef 47 per cent; in bread 31 per cent; in butter 67 per cent; in cheese 40 per cent; in coals 45 per cent—but his Return was drawn up before the enormous increase in the price of coals, which at present amounted to 150 per cent—in lard 44 per cent; in mutton 29 per cent; in potatoes 81 per cent; being an average rise of 42 per cent. It was true there was a slight decrease on rice, which nobody used much, and on tea and coffee. Under these circumstances it was perfectly impossible that officers could maintain the position which they ought to retain. The first class of officers in the Navy, the warrant officers, the men who were the pick of the force, had told him that they could not maintain the position which they were expected to maintain upon the pittance which they received. If they came to education, manner of living, the society of the country, the pay of the Navy rendered a man an outcast if he could not hold an income which with economy enabled him to live up to the station of the persons with whom he associated, and it was impossible for officers in the Navy, or post captains, to live upon their pay. The same lamentable state of circumstances was felt by the artificer. He had personal knowledge of the fact that great hardship was inflicted upon the officers of the Navy in consequence of the miserable pay they received, and that, too, at a time when the country was overflowing with riches, when people could afford to give £1,200 for a box at the opera, and when some hon. Members, after giving £1,000 for a picture, came down to the House and voted for the reduction of the wretched pay of a Government clerk. Whatever Government was in office—whether the present or that which was looming in the distance—he would tell the occupants of the Treasury Bench that it was their duty and their interest to see that the defenders of the country were adequately paid for their services. He warned the Ministry that, although there was no kind of fear of invasion, yet that we were entirely dependent upon foreign countries for corn, and there might be some kind of combination against us when it would be absolutely necessary for us to have a strong fleet in the Bay of Biscay to protect Falmouth Harbour. So long as he had a seat in that House —and there were some seats which were not so safe as his—he should continue to urge the grievances of the officers of the Navy upon the attention of the House and the Government until they were redressed.

Mr. GOSCHEN said that before he replied to the question of the hon. and gallant Baronet he desired to echo the regret he had expressed at the loss which the House had sustained by the death of one who had never been absent from his place when any question affecting the interests of the Royal Navy was under discussion. Opposed as he and his Colleagues were to the right hon. Gentleman the Member for Tyrone (Mr. Corry) in politics and on many questions of naval administration, he nevertheless could bear witness to the fact that the naval service considered that the right hon. Gentleman had mastered subjects connected with the Navy with a success seldom attained by civilians, and he (Mr. Goschen) was sure that the news of the right hon. Gentleman's death would be received with unfeigned regret throughout Her Majesty's men-of-war. With respect to the question raised by the hon. and gallant Baronet, he would not follow him into the subject of the increased cost of the necessaries of life. The hon. and gallant Baronet had spoken of the inadequacy of the half-pay in various ranks of the service, and he admitted, as his right hon. Friend the Member for Pontefract (Mr. Childers) had done, that one of the weak points of the service was the large number of officers who were placed on half-pay. It was with the deepest regret that he saw commanders, when promoted to the rank of captain, remaining four, five, and six years on half-pay before they received a command. His right hon. Friend had given that subject his attention, and had instituted a policy by which the number of sufferers had been greatly decreased. The figures he was about to quote would show the beneficial result which had followed the adoption of the policy to which he referred. On the 1st of April, 1870, when the scheme came into operation, the number of officers of all ranks on half-pay was 1,258. On the 1st of April, 1872, the number had been reduced to 838, or by more than 400. That was a considerable amount of progress, and he believed it would continue, and that the time would come when the retirement scheme of his right hon. Friend would be fully appreciated by the Navy. On the 1st of April, 1870, 89 captains were employed, and199 were on half-pay, while on the 1st April, 1872, there were 87 captains employed, or only two less than in 1870, while there were 146, or 53 less than in 1870 on half-pay. With the commanders the same was the case. On the 1st April, 1870, the number of commanders employed was 171, the number on half-pay being 231; while on the 1st April, 1872, there were 156 employed and 156 on half-pay. The process was slower than he could wish, and he was not disposed to do anything to diminish the tendency of officers to retire until the point had been reached at which the numbers had been fixed by the Order in Council. He would admit that the rate of half-pay was low, and it was said that he had dealt with it in an inadequate manner by adding 2s. to the half-pay. It was assumed that the Admiralty endeavoured to find a fund for increasing the half-pay by diminishing the number of Good-Service Pensions. The Admiralty, however, went on a totally different principle. The 25 Good-Service Pensions created by his right hon. Friend (Mr. Childers) were found to involve very great difficulties. The money was voted annually; but these Good-Service Pensions, although they might be bestowed upon an officer on full-pay, could not be held by him. It happened that through the employment of senior officers on the list not less than 15 out of 17 who were in receipt of Good-Service Pensions were on full-pay, and, consequently, the pensions could not be enjoyed by those officers, although they had them attached to their names. It might be asked why the Admiralty did not give these pensions to the officers next on the list. He had examined that question also, and had found that of the next 17 officers distinguished for conspicuous services all but three were employed on full-pay. If the Admiralty had gone on distributing these pensions among the next 17, not less than 14 were employed and could not receive them. [Sir JAMES ELPHINSTONE dissented.] The hon. and gallant Gentleman said "No," but if he would look at *The Navy List* he would find it to be so. [Sir JAMES ELPHINSTONE observed that what he had said was that "it was a delusion."] He (Mr. Goschen) thought that if a naval officer were on full-pay, and had a Good-Service Pension given to him which he could not enjoy, it would be indeed a delusion. The Admiralty found that there was a considerable number of officers entitled to these pensions who could not enjoy them as was intended, and there was thus a large balance every year which could not be distributed among the naval officers. The Admiralty then considered how best to re-arrange the matter, and accordingly took measures to change the tenure of the Good-Service Pensions. Instead of granting 25 of these pensions, which could not be enjoyed by officers on full-pay, the Admiralty granted 13 pensions, which could be thus enjoyed, and applied the balance to increase the half-pay. The position of the junior Captains was more to be pitied than any. There was no desire on the part of the Admiralty to take anything from the naval officers, and they had been actuated by entirely different motives from those assigned to them. Everything that could be done to decrease the number on half-pay would be effected by the Admiralty. Successive Boards of Admiralty had taken the same view, and it was better to attempt to deal with the question by limiting the number on half-pay than by diminishing the inducements to retire. He might state that the Good-Service Pensions were a part of the scheme of 1870, which was not optional, and they were equally open to those who selected either the old or the new regulations. He could not say that he was prepared to deal with the difficulty by increasing the half-pay; but he could assure the hon. and gallant Gentleman that he would continue to endeavour to diminish the number of those who were in the unfortunate position complained of.

SIR JOHN HAY concurred in the regret expressed by the First Lord of the Admiralty on the loss which the House had sustained in the death of the late right hon. Member for Tyrone (Mr. Corry). He had applied himself, with great satisfaction to the Navy, to the details of Admiralty administration, and if he had been present that night he might possibly have elicited from the right hon. Gentleman opposite something more than an expression of regret at the condition of the naval officers on half-pay. It was true, as had been stated by the right hon. Gentleman opposite (Mr. Goschen), those officers had been reduced by 400 during the last two years, and he must admit also that in view of the exigencies of the service they must always have a considerable number of officers on the half-pay list. This, however, was no excuse for allowing those who were so placed to receive the miserable pittance now paid to them. The changes introduced by the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Childers) had not diminished the public charges, and the larger proportion of the half-pay officers had derived no benefit whatever from those changes. And it really did not seem at all desirable that these half-pay officers should not have enough to live upon. It was impossible for the officers to live on the meagre pittance which they now received. The First Lord of the Admiralty must be aware that the rate of promotion in the Navy was extremely slow. He was glad to hear—but he did not know whether the rumour was well founded—that the right hon. Gentleman intended to make the rate of promotion quicker, and to give some encouragement to those whose hopes had been blasted by waiting long for promotion.

MR. G. BENTINCK said, that having lived for half a century on terms of friendship with the late right hon. Member for Tyrone, he could not refrain from tendering to the right hon. Gentleman at the head of the Admiralty his thanks for the graceful tribute which he had paid to his right hon. Friend. But he could not concur in what had fallen from the right hon. Gentleman in reference to the Motion of his hon. and gallant Friend (Sir James Elphinstone). The right hon. Gentleman had gone into various details, but none of them met the grievances complained of. An officer on half-pay could not live on his half-pay alone; for the means of living he must depend partly on his own private resources. The right hon. Gentleman seemed to lay great stress on the fact that by a recent arrangement the number of officers on half-pay had been decreased, but that did not improve the position of those who were still on the list. This was a state of things which ought not to exist in any country. The other grievance complained of was the withdrawal of Good Service Pensions from officers on full-pay for services already rendered. And what was the course now adopted? When the services of these men were required again, the Good Service Pensions, to which everyone admitted they were entitled, were withdrawn. Was it just to deal thus with men whose full-pay was not a liberal pay, and was less than the pay of men in a similar position in the other Navies of the world? It was an act of injustice, and was highly discreditable to the Government of the country, and it made Englishmen ashamed of such a course. He hoped the right hon. Gentleman would consider the matter, and remedy this discreditable state of things. He had intended to make a few remarks on the Navy Estimates which the right hon. Gentleman was about to bring forward; but the Rules of the House had been so frequently changed — and every one of those changes was calculated to prevent discussion—that he did not know whether he was at liberty to make such remarks. If it were clearly understood that, after the right hon. Gentleman had made his statement, the Members of the House would have full opportunity to discuss the Navy Estimates, he had no wish to trespass further on the House at present.

Mr. CHILDERS said, he did not wish to enter into the general question, and would only observe that no Good Service Pension had been withdrawn either in 1870 or in 1872.

Mr. G. BENTINCK inquired if there was any officer on full-pay who was at this moment in receipt of his Good Service pension?

Mr. CHILDERS replied that no one had been deprived of the Good Service pension to which he was entitled before the new Regulations came into force. The hon. Baronet the Member for Stamford (Sir John Hay) had quoted the totals of a Return which he (Mr. Childers) had moved for last Session, to show that no improvement had been made in the sums paid to officers. But he had omitted to give the numbers of those officers. In 1868 the sum of £1,765,000 was paid to 9,629 officers in respect of full-pay, half-pay, and retired-pay; but in 1872 the same amount was paid to 9,134 officers for those purposes; but that was not all. A vast improvement had been made by the Orders of 1870 in the proportion of officers employed to those on half-pay. A Return which had been made last Session showed that great relief had resulted to the service in consequence of the number of retirements which had occurred between 1870 and 1872. It appeared from that Return that in 1870 the number of officers in the Navy of the higher ranks was 3,585, and it was necessary that number should finally be reduced to 2,521. At the present moment the number had been reduced to 2,875—about two-thirds of the necessary reduction having been already effected. His right hon. Friend had explained that that reduction was a great boon to the Navy, and its beneficial effect would be felt more and more in future years. The immediate effect of the reduction was to take off the half-pay list — the most unsatisfactory list in any service—430 officers, and to reduce the total number on half-pay from 1,268 to 838.

Sir JAMES ELPHINSTONE remarked that those gentlemen who had been removed from the half-pay list were no longer receiving half-pay.

Mr. CHILDERS said, that was true; but they were receiving a far larger amount of retiring pay, which was a great boon to the whole service. The fact was that we had at that time a fearfully redundant list, and that it must be worked off, not in the interest of economy, because, as the hon. and gallant Baronet had shown, the charge was as great as ever, but in the interest of the service. The service was impaired every year from the circumstance that a large proportion of officers were kept two, three, four, and even five years in idleness, and this was at a time when mechanical improvement was going on at such a rate that no man could be absent from the service for any length of time without finding himself far behind in knowledge, and his efficiency being greatly impaired. There was only one way to remedy this—a determined and vigorous reduction in numbers. This he (Mr. Childers) had done much to effect. The effect of the Orders in Council of 1870 had been that whereas in the two years that preceded them only 492 officers had been promoted, in the two years that had succeeded them no less than 649 promotions had been made, and that while in the two previous years only 220 officers had retired or been pensioned, in the following two years no less than 1,299 had retired or been pensioned. But the hon. Baronet complained of the few promotions to flag rank. In reality they had been as many as before; but it so happened that for the first 16 months after the Orders were passed not a single flag officer had died, although the average was four or five per year, and therefore all the promotions were due to the retirements brought about by the Orders in Council referred to. He would not enter into the general question; but on these points he had felt it his duty to add his testimony to that of his right hon. Friend at the head of the Admiralty.

Admiral ERSKINE said, there was one point which had not been adverted to, and to which he wished to call attention. He had supported at every stage the abolition of purchase in the Army. Under the present system, he regretted to say that the door of the Navy was shut to all but the sons of wealthy men or rich men themselves. He could not conceive a more impolitic system than that which kept men, who ought to be able to live among their equals, in a state in which, when they went to sea, they were incapable of carrying on the duties which in many cases required great judgment and discretion. But, in addition to that objection, in no other public Department was the variation in the pay of a public servant so great. His own case afforded a very good illustration of that variation. Thus, 30 years ago, when he was receiving £180 per annum as half-pay, being suddenly appointed captain of a ship, he obtained £600 per annum for three years, at the end of which time his income was again reduced to the smaller sum. Again, 10 or 12 years ago, he was in receipt of £1,500 per annum, as Rear Admiral commanding a division of the Channel Fleet, and at 24 hours' notice he was compelled to haul down his flag—the notice being 27 days short of what a domestic servant was entitled to—when his professional income was reduced to £450 per annum. In his opinion this excessive variation in the income of our naval officers was most unfair and most unjust. He thought the right hon. Member for Pontefract (Mr. Childers) was wrong in the statement he had made with regard to officers on full-pay receiving Good Service Pensions.

Mr. GOSCHEN rose to remove the misconception which appeared to prevail with regard to the effect of the Orders in Council of 1870 and 1872, as to officers on full-pay receiving Good Service Pensions. Previous to 1870, officers both on full and on half-pay had been able to draw Good Service Pensions; but the Order of that date added to the Good Service Pensions, and changed their tenure and allowed the pension to be taken into retirement, but directed that in future they were not to be held by officers on full-pay. That Order, however, was not retrospective in its effect. The Order of 1872 restored prospectively to officers on full-pay the power of enjoying Good Service Pensions, but the effect of that Order also was not retrospective.

Mr. RYLANDS remarked that the public, as well as half-pay officers, was interested in this question. Between 1859 and 1863, while the Duke of Somerset was First Lord of the Admiralty, the number of cadets appointed in the Navy was preposterously large, and the result had been that great difficulty had been experienced in providing places for them. He (Mr. Rylands) thought there ought to be a considerable and speedy reduction in the number of officers. If the naval interests of the country were to be intrusted to officers who had not sufficient knowledge or experience of their duties, the result could not fail to be disastrous. The taxpayers of the country had a right to expect that public money would not be given where there was no justification for an increase in the public charges. If the question was carried to a vote he should resist the claims of the officers.

In reply to Mr. R. W. Duff,

Mr. GOSCHEN said, he had already stated that in future the Good Service Pensions might be held by officers in full service.

SUPPLY—NAVY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) 60,000 Men and Boys, Sea and Coast Guard Services, including 14,000 Royal Marines.

Mr. GOSCHEN, in rising to move the Navy Estimates, said, the gross Estimates for the year 1873-4 amounted to £9,873,000, and after deducting extra receipts and repayments made to the Treasury, amounting to £240,000, there remained a net charge on the revenue for the coming year of £9,633,000. The present Estimates showed an increase over those of 1872-3 of £340,000. Before he dealt with the causes which had led to that excess, he wished to make a few remarks with reference to the services which had to be performed by the Navy for the money which was voted by Parliament. An hon. Gentleman had spoken the other day of our naval expenditure as our national premium of insurance—words which must be taken to imply insurance against hostile attack; in fact, the insurance of our power and prosperity. For his own part, he wished the Naval Estimates were nothing more, some hundreds of thousands might be saved out of the Estimates—we might even say millions — if that were so; but everyone who was conversant with the conduct of the business of the Admiralty must be aware that there were many duties which the Navy had to perform—costly duties, too—in time of the profoundest peace, a fact which he would beg hon. Members to take into account when they were asked to Vote £9,500,000 of the money of the taxpayers of this country. The Navy, for example, performed the whole of the Coastguard duties, not only for the protection of the coast, but for the protection of the revenue, there being 25 Coastguard cruisers. Then the Navy had to provide for the protection of our fisheries in the sense of police, not in the sense of protection against an enemy, and naval officers on board of men-of-war have often to perform magisterial duties. Then there were costly surveys to be made by our ships in various parts of the world. A great transport service had also to be performed, the number of soldiers to be moved in the course of the present year being 41,000, besides 8,000 women and children, 15,00 officers, and a certain number of horses. All this expenditure was not war expenditure. Again, we had to send ships to various parts of the world to suppress kidnapping, to look after the slave trade, and to discharge various other duties of a similar nature. There were, besides, certain duties to be performed for our Consular authorities, who were constantly, in all parts of the world, making demands on the Navy for the protection of lives and property of British subjects, not against an enemy, but in cases of internal disturbance and revolution. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) had a few days ago stated that our expenditure must depend on our policy; but the duties which he had mentioned were duties which the country desired to see under all circumstances performed, and the Government of the day was always called pretty strictly to account if there was any failure in that respect. It would at once be seen, then, that in performing those duties a large amount was absorbed of the millions which were generally supposed to be laid out in simply making preparations for war, and that but for such expenditure much more money than was now available for the purpose could be devoted to building fighting ships and increasing our real naval strength. He would now call attention, in the first place, to the number of non-fighting ships which had to be continually kept up. There were round the coast for the training of boys, nine ships and six brigs, three ships for training naval cadets, and three ships and eight traders for the study of naval artillery and torpedoes. Then there were drill ships, 11 ships for the Naval Reserve, and 25 revenue cruisers for the Coastguard service. There were also stationary ships of various kinds, receiving ships, store ships, and hulks used for various purposes, 39 in number, four troop ships, five survey ships, and a number of yachts and small steamers for the Channel service. The total he arrived at was 138 ships for peace service only; and those ships had to be repaired as occasion required, and, worse still, replaced when worn out. This year, for instance, we take £15,000 in order to prepare the *Marlborough* to take the place of the gunnery ship *Excellent*. There are also five Indian troop ships, and then there are our shore establishments. Not to speak of all our great dockyards at home, we had 14 or 15 small dockyards abroad, each of which was a centre of expenditure. We had victualling yards at Deptford, Gosport, Plymouth, Gibraltar, Bermuda, and other places, and we had also medical establishments, a lunatic asylum at Yarmouth, barracks for marines, marine infirmaries, and all our educational establishments. He alluded to this in order that hon. Members who did not go into the details of the Estimates might see how a large portion of our money was necessarily spent before we came to the expenditure for actual fighting purposes, and he would remind hon. Gentlemen that these 138 non-fighting ships and this vast number of civil establishments for naval purposes abroad and at home are each a centre of expense which requires the most careful watching. While on the head of our centres of expenditure in time of peace, he would not omit the examination of our squadrons at sea. We had 11 squadrons at sea. There were the Channel and Mediterranean squadrons—which were our great fighting squadrons—and then there were the squadrons for the West Indies, for South America, for the Pacific, for Australia, for China, for the East Indies, and two for the African waters; and then there is the flying squadron. The Committee might think we had too large a number of these squadrons abroad, but he would remind them that when his right hon. Friend the Member for Pontefract (Mr. Childers) came into office he reduced the number of ships on foreign stations, organized a flying squadron, and laid down a certain scale in accordance with which the ships were to be kept up. The present squadrons were not in excess of that scale. He would now state the case in a different form. We had 226 ships in commission, but the actual number of fighting ships was not more than 114. Of those 23 were iron-clads, 31 frigates and corvettes, 60 sloops and gunboats. France, on the other hand, had 8 iron-clads, 5 frigates, and 36 sloops and gunboats—making in all 49; Germany had 1 iron-clad, 6 corvettes and sloops, 4 gunboats and 1 despatch vessel—in all 12; while America had 2 iron-clads, 3 store-ships, and 40 other ships—making in all 45. Thus it would be seen that while England had 23 iron-clads, France, Germany, and the United States had only 11; and we had 91 frigates, corvettes, sloops and gunboats against their 95. Now, it might be asked whether we had not too many squadrons and too many ships in commission. He should like to know the view of the Committee upon that point. Well, where were our squadrons? We had a squadron on the East India station and one on the East Coast of Africa, which latter probably, if he was not very much mistaken, we should have to re-inforce with the concurrence of both sides of the House. Then they had a squadron on the Australian station, which the House, and hon. Gentlemen below the Gangway as much as any other hon. Members, would insist on their keeping sufficient to suppress kidnapping in the Southern Seas. Again, the state of Lagos, Sierra Leone, the Gambia, and other parts of the West Coast of Africa was not such that they could diminish their squadron there by a single ship. Then, in regard to the China squadron, there was a certain number of Treaty Ports to be watched, and the services of that station could not be conducted with a smaller force of ships. Therefore, although the aggregate might appear large, when they came to look into it, it was difficult to see how any of their squadrons could be reduced. He could not, he thought, too often remind the Committee and the country that if they required services to be performed the ships must be ready and prepared to perform them. Then there was another question—namely, how were they to employ their men? And he would here say that he was not prepared to recommend the Committee to reduce the number of seamen we had. The total number of men that appeared on the Votes was 60,000, the blue-jackets of course being only a part of that aggregate force. But it must be remembered that they had to recruit their seamen from boys; they had to train them. Their system was not such that they could enter them straight from shore without training. The consequence was they must always keep a certain number of sailors upon whom we could rely immediately on the outbreak of war. We could not get our sailors ready-made, and especially for the new class of ships and the new kinds of gunnery it was absolutely indispensable that there should be training. What, then, was to be done with those men? They must go to sea. It was impossible to keep in their ports on shore more than a certain proportion of their sailors. They must be kept at sea. If we were placed at a great disadvantage as regarded expenditure, compared with other countries, through our foreign squadrons, on the other hand we possessed an immense advantage as compared with foreign countries, because, having to keep our ships at sea, we were enabled to train our men. Our men, in fact, were making experiments on our ships in time of peace, instead of in time of war; they were learning their qualities, and our officers and crews were familiarizing themselves with these new classes of ships. Although there might be a difficulty in dealing with experimental ships, and although by having so many ships at sea they were liable to naval mishaps, still the Government felt that it would be wrong for any Board of Admiralty to keep their ships at home in order to avoid those risks to which from the beginning all men were exposed who "go down to the sea in ships, and occupy their business in great waters." Notwithstanding that he had a good deal to say to the Committee, he had thought it worth while to indicate what he called our peace establishment, and what were its duties. He would now speak of the excess of £340,000 upon these Estimates. The Estimates, as stated in the gracious Speech from the Throne—

> "Have been framed with a view to the efficiency and moderation of our Establishments, under circumstances of inconvenience entailed by variations of an exceptional nature in the prices of some important commodities."

They had had to encounter dearer coal, dearer iron, and higher wages. They had had to pay an increased price on no less than 180,000 tons of coal. Their purchases of iron and metal articles, engines, and so forth, amounted to about £700,000 for the coming year; and business men would know what effect a rise in price must have on such an item as that. Again, by contract their expenditure for building iron, wooden, and composite ships was about £400,000—another item which was seriously affected by the rise in prices. Possibly the hon. Member for Warrington (Mr. Rylands) and others might say they must meet that increase of prices by reductions in other directions. In order to show how far that would be possible, let him recall to the Committee a statement which he had made on a previous occasion with regard to the proportion of their total expenditure which was spent on the *personnel* of the fleet on the one hand, and on the *matériel* on the other, and as to how much of it was elastic, and how much inelastic. Well, the Votes which constituted the *personnel* of the Navy—namely, the Wages, Victualling, Coastguard, Medical Establishment, Half-pay and Pensions, Marines and Martial Law Votes—absorbed together, £5,565,000. Out of those Votes, it might be possible here and there to make reductions of a few thousands; but he must frankly say that if our Navy was to be equally as well paid, pensioned, fed, and doctored as it had hitherto been, he did not see that there was any great margin for saving on those Votes. Perhaps, it might be said they could reduce the number of men; but in recruiting for the Navy, it was a difficult thing to drop the number in any one year. They could only drop it by diminishing the number of boys, which would not affect the immediate year, but would give them so many fewer seamen in subsequent years. He had taken off 500 boys this year, not to decrease the number of sailors, but because they had found, after experience of the continuous service system for a given time, that with 3,000 boys they would be able to keep up the number of their sailors at about 18,000 or 19,000 the standard which they had fixed upon. Before the continuous service system came into operation, it was almost impossible to say what the necessary number would be. He was happy to say, also, that the waste among the boys had become considerably less. Last year, he had not scrupled to ask for an increase of 500 in the number of boys, because there was a gap through their not having entered the full 3,000 in some years; but, having increased the number, he had come, with the assistance of his naval colleagues, to the conclusion that 3,000 boys should be fixed upon, and therefore had taken off the 500 he had put on last year. He did not do that to diminish the number of men, but because 3,000 boys would be sufficient. Next came the Transport Vote, over which they had no control, the Vote for the Admiralty, the Scientific and Miscellaneous Votes, together making a total of £532,000. We might be able to reduce them by some few thousands, but the most rigid economist could not effect any such reduction there as would make up for increased prices. Then there were the great works at Chatham and Portsmouth, and the Vote for Works in general, and including contracts that had been entered into, which accounted for £682,000; then there was the Vote for Civil Pensions, which amounted to £296,000, over which they had no control. The result was that £7,077,000 formed the aggregate of the Votes belonging to the *personnel* of the Navy. That was expenditure of an inelastic description, and we had comparatively little control over it. If there was to be any reduction to meet the increased prices of materials, it could only come from the remaining Votes—namely, the Store Votes or the Dockyard Votes. Now, the Store Votes and the Building Votes last year amounted to £2,384,000, and this year they were £2,796,000. If he had come down to the House and asked for a Supplemental Vote for 1872-3 in consequence of the great increase in the price of coal, iron, and other materials, he thought the

House would have been disposed to grant it; and they could not have complained if, in a year of unexampled rise in prices, they had been unable to keep within their Estimates. During the whole time he had been in office the expenditure had not exceeded the sum voted by the liberality of Parliament, and in 1871-2, after making provision for unexpected charges, a surplus remained over the money voted. With the exception, too, of a vote of £6,000 to be awarded to an officer, as the reward of a valuable invention, and for which the object was to get the sanction of Parliament, the Admiralty had not asked for Supplementary Votes. In the current year £50,000 more than had been estimated had been paid for coal, and there had been altogether an excess of about £90,000 for stores, but the aggregate of Vote 10 had not been exceeded. When we came to consider our contracts for building ships and buying machinery, under Vote 10, Section 2, which we should have entered into in July, we found the prices would be so exorbitant that we should not be justified in proceeding at once to make these contracts. We took the greatest pains to ascertain the probable course of the markets, and, having done so, we postponed our contracts a certain number of months. The result was, that we saved the country some £40,000 or £50,000 upon contracts which we were able to enter into at lower prices in the autumn. On the other hand, the Admiralty had been thrown back as regarded time, and, therefore, had not spent the whole of the money voted, fewer ships and engines falling within the year 1872-3 than had been anticipated. Now, he trusted the Committee would think that in that they had not acted wrongly. It was surely better to postpone the purchase of machinery for some months, and not to spend the whole of their money in the year, than for the sake of taking that amount to purchase at a higher price at the expense of the taxpayers of the country. They must this year ask Parliament for so much more money in order to make up those arrears. As regarded machinery, not the slightest inconvenience would arise from that postponement, because they were well ahead with their machinery as compared with their shipbuilding, so that no ship would be delayed through the engines being ready somewhat later. A similar course has been pursued in reference to ships. They ordered them at a later date and a cheaper price, and, in consequence, the noble Lord the Member for Chichester (Lord Henry Lennox), and others who watched the Estimates closely, would see that our liability for shipbuilding on the 1st of April 1873-4 would be considerably greater than was anticipated. The noble Lord would also see that in this year they had taken a larger amount of money for ships built by contract. This year it was proposed to build 6,000 tons by contract, as compared with 3,600 tons last year, about 1,000 tons of this excess being due to being behind with the shipbuilding by contract in 1872 on account of the orders being given later. Besides, the dearer coal, iron, and other materials, they had also to face a certain amount left as a legacy from the past year, and he had already shown that any reduction could only come out of the Stores and Dockyard Votes. The question therefore arose, could they avoid taking a larger sum this year than last by reducing the number of ships which it was proposed to build. He had shown that a reduction of expenditure could only come out of stores and dockyards, and that this was impracticable, not only on account of higher prices, but of arrears to be made up from 1872-3. For some years past the Committee had been asked to build about 20,000 tons a-year, and it would not be right in times of exceptional dearness of materials to vote large sums for 20,000 tons of shipping, which is the amount he intended to propose, unless he could adduce reasons why this should be done. He had examined the statistics available at the Admiralty as far back as 1855, to ascertain the amount of ships they had built since that time. He found that 550 ships had been built, representing a tonnage of 550,000 tons. Of these 41 were line-of-battle ships, 50 ironclads, 34 frigates, 26 corvettes, 40 sloops, 90 gun vessels, and nearly 200 gun-boats. Nevertheless, and he said it with regret, we must continue to build. For how many ships of how many tons did the Committee suppose had been struck off the effective list of the Navy in the same time? Ships to the extent of no less than 400,000 tons have been struck off. During eight years after 1855 76,000 tons out of 182,000 were struck off; and, worse than that, out of 314,000 tons, launched between 1855 and 1863, 98,000 tons, representing 124 ships, had vanished before the eight years were completed. Some had been lost, others had become obsolete, others had perished from wear and tear. He would lay on the Table a paper showing the causes of this. He would now offer some accurate figures respecting the last 10 years, showing the ships added to the Navy, what amount had been removed, and, above all, in what classes the changes had occurred, so as to indicate what our policy should be as to the ships to be built. During the last 10 years 148 seagoing ships, with 226,000 tonnage, had been launched, exclusive of 20,000 tons for Indian troopships, and exclusive also of tugs and non-seagoing ships. During that time 215,000 tons had been built—this figure of course not entirely agreeing with the tonnage launched. The tonnage struck off the effective list had practically been of the same amount, about 215,000 tons, comprised in 225 ships, thus showing a diminution in the number of ships of 77. On the 1st of January, 1863, there were 329 ships on the effective list, with 397,000 tons, while in 1873 there were 252 ships, with 402,000 tons. Some of the ships, as he had said, had become obsolete, and that accounted for a considerable number, and the reason why others had so quickly vanished was that, being originally built for a certain purpose, they had been converted to another. Ships not strong enough to hold the powerful engines put into them had been turned into screw steamers, and they had not been able to bear the wear and tear of engines. Many ships had been lengthened, and the lines had been fined down so much that they had proved unable to bear the very great horse-power put into them. No doubt some mistakes had been made, but in order to place a certain number of vessels at the disposal of the country in the short time necessary, wooden vessels had had to be made available. It was hoped, however, that the wear and tear in iron ships would be very considerably diminished. He would now state in what classes of ships the 215,000 tons had vanished from the list. Out of the 220,000 tons built, 148,000 were put into iron-clads, whereas of the ships that had been removed only one was an ironclad and 18 were line-of-battle ships. These together amounted to 56,000 tons. Deducting the amount put into iron-clads and the amount lost through line-of-battle ships becoming obsolete, he arrived at the following figures:—206 vessels which were not iron-clad and were not fighting ships had been removed from the Navy, with 162,000 tons, and only 105 had been added with 76,000 tons. During the last 10 years 148,000 tons—a very large proportion of the total built—had been put into iron-clads, and 76,000 tons only had been distributed over other ships. Meanwhile the wear and tear which had been going on in our wooden ships had had these results:—206 had been removed from the effective list; of frigates we had lost 22 and added 2. We had 41; we now possessed 21. Of corvettes we had lost 12 and added 9. We had 26; we now possessed 23. Of sloops we had lost 37 and added 14, so that, having had 56, we now had 33. We had lost 68 gunboats and added 31; we had 81 and now had 44. Of gun vessels we had lost 36 and added 38; we had 41 and now we have 43. It would be seen therefore that the country had occupied itself during the last 10 years with the iron-clad Navy, which it was necessary to create, and that in all other classes of ships there had been a great reduction in number. Consequently, during the last few years, Parliament had been asked to vote certain sums in respect of the unarmoured Fleet. He had seen it stated, in those criticisms which every Administration must expect, that the Government had been frittering away money upon ships which would not give us any actual increase of fighting force. He had only to say in reply that if we were to keep up our squadrons on distant stations we must have ships to relieve them; and for that reason, though the Government did not propose to bring up the unarmoured ships to the old numbers, the necessary reliefs must be provided. He would remind the Committee of what had been done. Last year and the year before the the unarmoured fleet had received considerable additions. In 1871-72 we began the *Amethyst*, the *Encounter*, and the *Modeste*, three corvettes. We had made progress with the *Coquette* and the *Kestrel* class of gun-boats. We had also begun a large corvette and six sloops; and he was sorry to say they had been obliged to spend a portion of the money on troop ships and tugs

—a most necessary but uninteresting class of vessels. The programme of the Admiralty this year was, in round numbers, 14,000 tons of unarmoured ships and 6,000 tons of iron-clads. The 14,000 tons would be distributed in ships which he would specify later on. —[Lord HENRY LENNOX: What is the total amount of tons?]— The programme of the present year gave a total of 20,000 tons—unarmoured 13,800, and armoured about 6,100. Considering the rapid diminution in the number of unarmoured vessels, he should not think it consistent with his duty to recommend less than the construction of 13,800 tons, in order to carry on the necessary services. He would now, however, address himself to the subject of iron-clads. There again hon. Members might say—"the price of iron is very high, and as contracts for iron plates must be made at a very unfavourable moment, would it not be sufficient to continue building the ships to which you stand committed, and not lay down any new iron-clads this year?" After examining the matter with the greatest care, he had arrived at the conclusion that he could not conscientiously recommend the Committee to build a smaller amount of iron-clads than he proposed. At the same time, he deprecated in the strongest terms any exaggeration or panic as to the state of our iron-clad Navy. He had read with much regret a good deal which had been said upon this subject. Occasionally he had been charged with having boasted of the state of our iron-clad Navy. Now, he had done nothing of the kind, though he had certainly defended it when attacked. Every one who had watched the naval discussions of the last six months would observe the curious modes of comparison continually adopted in contrasting our Navy with that of other countries. Last year, when he compared our ships with the French ships in some respects, the noble Lord the Member for Chichester (Lord Henry Lennox) seemed to think it wrong to institute such a comparison. Certainly some correspondence in the newspapers, and in some important Reviews, had not followed that suggestion, and there had been a very rigid handicapping and contrast. Ministers, however, were not at liberty to make the comparisons which were free to those out of office, and therefore it was impossible for him in this House to speak a *Quarterly* article in reply, and he must confine himself to such things as were incidental to the arguments he was then advancing. When, however, he sought to persuade the Committee to build these 6,000 tons of iron-clads, it must not be supposed that there was such an inequality in our Navy, compared with those of other countries, as to produce any feeling of alarm. But he would give a specimen of the mode of comparison often instituted. In comparing our Navy with that of Russia, for example, it was said that naval superiority did not consist in the number of ships, but in their quality, and that any Power possessing one ship of extraordinary strength would be able to exercise enormous influence in maritime warfare. Then it was added that Russia possessed in the *Peter the Great* a ship superior to any of ours. It was supposed that the *Peter the Great* was ready, whereas the armour-plates of that vessel were at this moment being manufactured in Sheffield. Whether the vessel would be ready in one or two years' time he did not know; but what he might term the scare about the *Peter the Great* arose from the idea that a single vessel of extraordinary power would be sufficient to lame the maritime ascendancy of any other country. It was forgotten that we had almost completed the *Devastation* and the *Thunderer*, which might have thinner armour by two inches in some parts than the *Peter the Great*, but together would have twice the number of guns; while each would be almost a match for the Russian ship. He thought few sailors would not be glad of the opportunity of tackling it with two ships of that class, which, together, would be infinitely more powerful than the *Peter the Great.* The argument he referred to was therefore met by the fact that we had two ships instead of one. But he should like to know why this argument was only applied as between England and Russia? When England was compared with France, a perfectly different test was applied. Then attention was directed not to the strength of single ships, but to numbers, and lists were made in which our ships with 12 inches of iron were pitted against ships with eight. He had stated before, and he now desired to repeat the statement, that we had 12 ships which were so strong that all the other maritime countries together could not name 12 ships of equal strength. The ships that he referred to were the *Devastation*, the *Thunderer*, the *Monarch*, the *Sultan*, the *Hercules*, the *Hotspur*, the *Audacious*, and her five sister ships. What he contended was this—that with respect to our iron-clads we were so strong that, though we could not altogether suspend shipbuilding, we could afford to proceed with judgment and calmness, and, above all, to avoid the fatal mistake of coming to a decision too soon. It had been urged that the Admiralty had wasted two years' time; that we had not made the progress with iron-clads which we ought to have made; but it would be difficult to tell what ships we should have ordered. Certainly not such good ships as we should be able to order now, with all the knowledge and experience we had gained. They had already been charged with laying down, in the case of the *Superb*, a class of ships which was out of date before her keel was laid; and that charge, if true, was in itself sufficient to show that they ought not to proceed too hastily. It ought to be remembered that it was not English ships only which were out of date. That was not a test for the English Navy only but for foreign Navies. He did not regret that the building of iron-clad ships had been deferred. Now he had no doubt that defects were frequently exaggerated with a view to spurring the Admiralty to fresh exertion; but, as those statements were read abroad, and by foreign statesmen, he thought they were sometimes carried too far. There was another point to which he wished to call attention, on which the public were somewhat misled. We proceeded in this country on a somewhat different footing from what they did in France as regarded the pace at which we build. The practice in France was to lay down a large number of ships at the same time, and to take a long time to finish them; whereas we laid down fewer ships, completed them sooner, and were thus able to avail ourselves of all the most recent improvements for further ships. The practice, however, gave the French a great advantage on paper, for when the French laid down a great number of ships and we only laid down two or three they appeared to have a great numerical majority, and that had over and over again appeared in the comparisons which had been made. Ships which were laid down in France, for instance, in 1865 and 1866, and were not yet completed, had figured ever since in comparisons which had for their object the proof of England's inferiority. There had been an enormous advance made in this country as compared with France. He entered into this matter with some reluctance because he had no desire to depreciate foreign countries, where, too, the comparisons were not made. One ship, for instance, commenced in France in 1865 had only been completed to the extent of 72 per cent on the 1st of January, 1872; and another, commenced in 1866, had only been finished to the extent of 60 per cent. Since 1866, however, we had commenced and finished 15 iron-clads, while France had in the same time only commenced two new ships, which were not yet finished. He would now come to the question of what iron-clads we ought to build. There was the necessity for coast defence, for great line-of-battle ships, such as were to fight the battles of the future, and for iron-clads for distant cruising and for foreign stations. With regard to ships for coast defence, we were never so strong as at the present moment, and, as our requirements were greater in other directions, he did not propose to add to those ships. During the last two years we had to a great extent concentrated our efforts upon that class of ship. Leaving out the *Hotspur*, the *Devastation*, and the *Thunderer*, we had completed the *Glatton*, the *Cyclops*, and three sister ships, and we had the *Rupert* almost completed. When he made that statement he did not confine himself to the action of any particular Board of Admiralty. We had also 18 or 20 gunboats carrying 18-ton guns, a class of vessel that would be of great service to us in case we ever had to defend our ports, and would, he believed, prove more efficient than floating batteries, with 4½ inches of armour. Looking, too, at the *Monitors* of foreign countries, of which a great deal had been said, very few had more than 4½ inches of iron, and it would be found that they were totally inadequate to compete with these gunboats. In the programme of last year we included four gunboats of the *Staunch* class. Four vessels of this class had been laid down at Pembroke, but during the ensuing year their intention was to push on with the iron-clads in preference to these. He now approached the question of the type of iron-clads to be built. At present one might say there were three schools of naval architecture with regard to sea-going iron-clads. There were the advocates of masted turret ships, the advocates of unmasted turret ships, and the advocates of broadside iron-clads. He ought not, perhaps, to omit the school who were against building iron-clads at all, a school which thought that in the race of guns *v.* armour the guns would be so victorious as to make armour useless. Whatever might be the case with regard to the guns of the future, it would be evident that, as regarded existing ships of other countries, it would be impossible to meet them with unarmoured ships, and no country for many years would be able to encounter the armoured squadrons of other countries with unarmoured ships. Another set of opinions pointed to the conclusion that the vitals of the ship only should be protected leaving the unarmoured extremities to be protected by other means. Various suggestions had been made for securing the buoyancy of the extremities in action by other means than armour plating, and the Admiralty was engaged in testing the value of those suggestions. All, however, were agreed that the vitals of the ship should be protected. Differences of opinion also existed on the question as to what formed the vitals of a ship. Some held that the water-line was not vital, others that the batteries might be left unprotected; but all agreed that the parts surrounding the machinery were vital. The views of naval officers were very conflicting on the subject. Some said they would rather fight behind the unarmoured side of a ship than behind an armoured side. Captain Sherard Osborn, he believed, was one of those who would protect the batteries and leave the waterline to chance; but there seemed to be a growing opinion in favour of the presumption that the complete protection of the battery was not indispensable, but he would not go into that argument. Another point on which all were agreed was the impossibility of concentrating in one ship all the desired elements of security and speed, and inasmuch as a ship of a given size would carry only a certain weight, great thickness of iron could be employed in the construction of only parts of that ship, and must be dispensed with in other parts. Opinion was also unanimous in recommending thick armour wherever it was used, and dispensing with it altogether if it could not be used thick. The weight of opinion, in effect, was in favour of a foot of armour at the water-line and on the vitals of the ship, leaving the batteries unprotected, rather than 8 inches on the water-line and 6 on the batteries. Controversy still continued as to the merits of masted iron-clads, masted turret ships, unmasted turret ships, and broadside iron-clads. The number of those in favour of masted turret ships was declining, although one distinguished admiral was in favour of building 12 improved *Monarchs* straight off, notwithstanding they cost £500,000 each. Masted turret ships as hitherto designed had one great defect, they would not allow a perfect fire all round; bow or right-a-head fire, though considered by many as essential and positively decisive of naval actions in the future, was impossible with them. He did not propose, therefore, to build masted turret ships. Then as to ships of the *Devastation* class, he was in some dilemma as to the course he ought to take, having regard to the Notice which the noble Lord the Member for Chichester (Lord Henry Lennox) had upon the Paper, because he did not wish to forestall that discussion.

Lord HENRY LENNOX said, he must leave the matter entirely to the discretion of the right hon. Gentleman, but he hoped that his views might not be prejudged, as he had given way to meet the convenience of the Government.

Mr. GOSCHEN said, he proposed not to go into the discussion now, but his difficulty was that without saying something on the subject, he feared he could not complete his argument. He did not wish to assert any dogmatic opinion of his own, but he had consulted on this question with the most competent authorities. The point he wished to arrive at was this—we have had to ask ourselves which class of vessels we ought to prefer, the low freeboard turret-ships, which depend entirely on their engines, or vessels of the *Sultan* class, which are masted. He would tell the Committee the conclusion at which they had arrived, but he must first refer to the *Devastation*. There were three sources of danger to which vessels of the *Devastation* class were said to be subject. One regarded the stability of the ship, another regarded the liability to sink by water getting into her, and the third the danger of her being overwhelmed by the waves and unable to ride over a heavy sea. As to stability, the vanishing angle of stability of the ship as originally designed was 43½; the vanishing angle of stability at the measured mile with a draught of 26½ was 55½, and the "Committee on Designs" were unanimously of opinion that whether with her superstructure as at present intended, or as originally designed, she could not be capsized under any circumstances which could occur. The Committee would recognize the great difference existing between masted ships and unmasted as regards stability. There was every reason to suppose that if the *Captain* had been an unmasted ship she would have been now afloat. But, as the *Devastation* was an unmasted ship, no one who knew anything of the matter would compare her with the *Captain*, or suppose that the dangers which she might have to encounter could be calculated from the disaster which had happened to that ill-fated vessel. However, it was because he believed that the fate of the one ship had some influence out-of-doors with regard to the other that he had taken the opportunity of pointing out that there was no analogy between them. But, besides being unmasted, and consequently not having the pressure of the wind upon her, the *Devastation* possessed a stability superior to that of the *Captain*, and that was another reason why the two ships should not be compared. The maximum angle of stability of the *Devastation* was 28 degrees, the maximum angle of stability of the *Captain* was 21 degrees. It would, therefore, be seen to how great an extent the proportion of the stability of the *Devastation* was superior to that of the *Captain*, though being unmasted she would not be exposed to the same danger at sea. It was wrong, in one sense, for him to make any comparison between the two vessels; but he did so knowing the conversations which had been held with regard to them. He should abstain at the present time from stating the difference in the stability of the ship which had arisen from additional superstructure, as he did not wish to raise any controversial point; but that was a matter with which he should be prepared to deal on a future occasion. He might, however, state his own opinion frankly that the question of the stability of the *Devastation* was one upon which few persons entertained any doubt, and therefore the dangers which were to be apprehended were of a different class. The second supposed source of danger was that there was so little of the ship out of the water that she was in danger of being overwhelmed. And here he would give some particulars of the buoyancy of the sister ship, the *Thunderer.* That vessel arrived yesterday morning at Portsmouth from Pembroke. As she passed the Lizard there was a considerable sea on, such as would be produced in the Channel with an east wind, and the force of the wind during a portion of the time was from 7 to 8. The *Thunderer* behaved, under the circumstances, remarkably well, and showed great buoyancy. He did not wish to lay too much stress on this point, because the vessel had not all her weights, but so far as the experiment went it was very satisfactory. If he could make out—as he certainly could—a fair case for the *Devastation,* he was sure everybody would rejoice, because there was not the slightest wish felt by anyone, in-doors or out-of-doors, to depreciate the vessel as one of our fighting ships. [Sir JOHN HAY: What is her speed?] That was a most interesting point, because the great danger apprehended was that the *Thunderer* and the *Devastation* would not be able to proceed at the highest speed against a head sea. If that were so it would destroy a great part of their value. Upon that point he had heard many officers speak with the greatest confidence. They said that it would be a loss of power if the *Devastation* could not steam against a head sea very rapidly, but they added that this defect could be overcome by seamanship, and that she would still remain a valuable ship. Well, on Saturday there was, as he had said, a considerable sea, which was right a-head of the *Thunderer.* When she was steaming against that head sea she was accompanied by the *Valorous.* The *Valorous,* though steaming full power, which ought to be 10 knots, went but five, while the *Thunderer* went at 12 knots without steaming full power. She ran away for two or three hours from the *Valorous.* That was an important circumstance, as far as it went. The captain of the *Devastation* and Admiral Stewart, Controller of the Navy, were on board; he had seen Admiral Stewart to-day, and he expressed the greatest satisfaction at the manner in which the ship performed her voyage under the circumstances. It would be satisfactory to the Committee and to the public out-of-doors to know that that was the case; and, of course, the Committee would understand that the *Thunderer* and *Devastation* being sister ships, it was allowable to argue from the one to the other. Now, as regarded "overwhelming," that was just the danger which had always been predicted in the case of the American monitors. One of these monitors foundered, and why? Because the water got into her from above. But what was the difference between the *Devastation* and the American monitors both with regard to freeboard and, what was more important in this connection, the height at which the water would be able to get into the ship? In the early American monitors there were openings in their lower decks, through which it was possible for a sea breaking over to find its way in. But in the *Devastation* there would not be a single opening into the interior of the ship at a less height than 24½ feet above the water. So far as the water getting into her was in question, he believed that every possible precaution had been taken that no possible means should exist by which such a danger could arise. He could not, of course, give an opinion upon such a question on his own authority; but he was distinctly informed by scientific men that a ship of that kind which was properly constructed would always rise again out of the waves passing over her, provided the water did not get into her, and that if the water was kept out she would float. As to her buoyancy and capability to resist being pressed down by a heavy sea breaking over her, that was one of the points which had most attracted the attention of naval officers. He believed he was correct in stating that the danger apprehended was that of the water breaking on the ship and weighing her down. Upon that point the question was, what was the proportion of the ship out of water as compared with that under water? Was the reserved buoyancy of the ship out of water sufficient? In the American monitors, out of 1,620 tons displacement, there was free ship above water equivalent to 150 tons, or about one-twelfth; but in the case of *Devastation* the bulk of the ship out of water was one-third. The *Devastation*, in fact, differed from all those monitors in nearly every particular. There was another point connected with this which had to be considered—he meant the amount of freeboard of the *Devastation*. The average freeboard over the whole ship was 9 feet 6 inches, which was more than 1½ feet over the rule laid down by the Institute of Naval Architects as the minimum for ordinary sea-going passenger ships, and it was only a small portion of the *Devastation* which had so low a freeboard as 4 feet 6 inches. The Russian ship, *Peter the Great*, had a freeboard of 3 feet 7 inches only, and of course she would be exposed to the same dangers as those which it was alleged the *Devastation* would have to encounter. The area of the forecastle of the *Devastation*, which was 8 feet 8 inches out of the water, was 17 per cent of the whole; that of the superstructure, which was 11 feet out of the water, was 67 per cent of the whole, and that of the after deck, which was 4 feet 6 inches, was only 16 per cent of the whole. Now, the point he wanted to show was that the low part of the ship was only 16 per cent of the whole, and it was a mistake to consider the *Devastation*, as in the ordinary sense of the word, a low freeboard ship at all. It was exceedingly difficult for him, being neither a naval architect nor a sailor, to put this question clearly before the Committee. But he could assure them that the subject had been examined with the greatest care and attention. Every one at the Admiralty, both Lords and Constructors, were fully impressed with the enormous importance of this subject, and they felt they must incur the responsibility which attached to them in that respect. It might be safer for their peace of mind if they did not hold language in accordance with their convictions; but they thought it better to take the responsibility of saying that they believed this ship would be supreme in time of war, rather than shrink in time of peace from making those costly and anxious experiments which every nation must be prepared to make in a matter of such extreme importance as this. As to the stability of the ship, he had put it to the Naval Constructors—"Would you sacrifice any of the fighting qualities of the ship in order to insure greater stability?" The answer was—"No; they had got a stability which exceeded by five degrees the stability which the Committee of Designs recommended as the stability which these ships should have, and they would not be prepared to make any sacrifice to insure greater stability." He repeated that this matter had been considered with the greatest possible anxiety, not only by the Admiralty, but by the Committee of Designs, composed of naval and scientific men. They had gone into the most careful calculations, and they came to this conclusion, which, of course, involved a certain amount of anxiety; but for the satisfaction of those who had doubts he would say this—that they would regard the *Devastation* as an experimental ship, they would treat her as an experimental ship, with the greatest caution, feeling their way gradually. They would not be anxious to prove her a success at once, and would run no risks on that account; but they hoped and believed—and he believed that every hon. Member of this Committee hoped—she would turn out what they expected—a very great success, both as a fighting ship in Channel and as a sea-going ship. That being their view of the *Devastation*—and concurring in the opinion of the Committee of Design, who the Committee would remember considered the *Devastation* to be the fighting ship of the future, they nevertheless proposed last year to build two broadside iron-clad ships. They could not start with an ideal as being the best and most powerful ship. Very much depended on the service a ship would be called upon to perform. That was not a scientific question; it became rather a matter of common sense. What was the service that the iron-clads belonging to England might be called on to perform, and what were the ships they would have to meet? It would be a wrong policy to build ideal ships of enormous strength and cost if other countries were building vessels so inferior that we could meet them with ships very short of the ideal. The common-sense view to take was this. What was the service which our iron-clad ships would have to perform, and what was the class of ships they would have to encounter? He thought it would be a dangerous course for the Admiralty to ask what was the best ship and then say they would abide by that ship. One service consisted in fighting the combined squadrons of the enemy on the coasts of this country, in European waters, and in such other localities where they were likely to be met with, and another service was distant cruising. He had seen statements, especially in the newspapers, that the Admiralty would find it hard to justify themselves if they continued to build any armoured ships except unmasted Turret Ships of the *Devastation* class. That view had likewise been taken by many eminent men, though he confessed it was a view which could not be conscientiously entertained at the Admiralty. It had been said, for example, that the Admiralty would find it difficult to justify their conduct in commencing the *Superb* and the *Téméraire.* They took authority to build those iron-clad ships from the House of Commons last year when they obtained an almost unanimous concurrence of opinion in favour of the decision at which they had arrived — namely, that they must build a certain number of masted Iron-clads as well as unmasted Turret Ships. But that opinion was not shared by the more advanced school of naval architects, because the former class of vessels were deficient in some respects, and of course no naval architect liked to produce a ship which was in any way defective, his object being to produce what he believed would turn out to be the best fighting ship. The Admiralty could, however, cite high authorities in favour of proceeding with masted ironclads. For instance, Sir Spencer Robinson and Mr. Reed had repeatedly stated their opinion that we ought to have sea-going turret ships and also masted ironclads. There might, indeed, be a division of opinion as to whether precedence ought to be given to one class or the other, but he could produce ample authority to show that the number of our masted iron-clads should not be allowed to be diminished. He might say with reference to the course taken by foreign countries, that while Russia was constructing unmasted ships, Prussia and France appeared to have come to a different conclusion. At the same time he believed that in regard to one of the new ships which was laid down in France it had not been decided whether she should be subsequently fitted with masts or not. He was convinced, however, that we should not be safe if we possessed unmasted turret ships alone, without a large force of masted iron-clads, as long foreign countries had vessels of the latter class. Circumstances might arise in which unmasted ships would prove less serviceable than masted ships. For example, if an unmasted iron-clad got beyond the reach of her coal supplies she would have to return, while a masted iron-clad might remain out and be master of the situation. Therefore, after much anxious thought, the Admiralty had come to the conclusion that we must attempt to be supreme in every class of iron-clad which was built by foreign countries. We must have ships of the *Devastation* class to fight the great battles wherever they might be expected, and we must also have ships of the class of the *Superb* and the *Téméraire*, with armour as thick as they could bear to go to distant stations, and which would not have to rely upon their steaming powers. It was on this account that the Admiralty proposed to build the *Superb* and the *Téméraire*. These were two first-class masted iròn-clads with regard to which he would presently address a few remarks to the Committee. This year they proposed to commence two new ironclad ships. One of these would be a vessel of the *Devastation* class. She would be built at Pembroke Dockyard, and would raise the number of our vessels of the *Devastation* class to four. Here he might remark that, whatever might be the result as to the power of the *Devastation* to steam against a head sea, everyone must admit that four ships of that class would, under any circumstances, be an invaluable and almost a necessary addition to the naval force of this country. In the event of these ships answering the expectations of the Admiralty in every respect, he should hope to raise their number to six; but until their seagoing power had been amply proved by experience he should not ask the Committee to go beyond the number he had just indicated. We should, then, be in this position. We should have the *Superb* and the *Téméraire* building at Chatham, and the *Fury* and the new *Fury* building at Pembroke. With these vessels those two dockyards would be fairly full. [Lord HENRY LENNOX: How many new ironclads do you propose to lay down this year ?] The *Superb* and the *Téméraire* at Chatham, the *Fury* which was not a new ship, and the new *Fury* at Pembroke, and with them those two dockyards would be full. It would not be attempted to build more than two of these ironclads in each of these yards. [Lord HENRY LENNOX: That is one new ironclad.] He (Mr. Goschen) said it was so, as regarded those two yards. They had transferred the *Téméraire* from Portsmouth, where she figured in the programme of last year, to Chatham, which yard had been chiefly accustomed to build broadside ships, whereas Portsmouth had been dealing with turret ships. He further proposed to lay down a new iron-clad at Portsmouth, and he intended her to be a seagoing ship, which could meet any weather. He hoped, however, to persuade the Committee not to ask him to state to-day what the ship at Portsmouth would be. Of course, before the money was voted the Committee would be entitled to ask the question, and he should be happy to inform them. But he wished to point out that they had gained the greatest advantage by postponing a decision respecting new ships from one period to another. As to the new ship to be built at Portsmouth, she would not be commenced until late in the year, and he should be glad to learn the result of the experiments on the *Devastation* before proceeding further with that vessel, especially as he thought it would be necessary next year to build another ironclad by contract, which additional vessel would probably be ready earlier than the ship to be commenced at Portsmouth. Therefore he wished to be in a position ultimately to decide whether, if we were to have another *Fury* and *Superb*, the latter should be built by contract and the *Fury* at Portsmouth, or *vice versâ*. At present he thought it would be better that the broadside ships should be built by contract, and that we should continue to avail ourselves of the experience of the Portsmouth officers for ships of the *Devastation* class. If he were asked which ought to be completed first, he would say the broadside ship, and not another *Devastation* beyond the four to which he had previously alluded. The naval architects and those who assisted them were engaged in developing further types of broadside ships. While the Gentlemen opposite were in office they strained every nerve to discover an ironclad which should be of not immoderate size, and yet efficient for the distant stations. It was not desirable to have the ships on distant stations larger than was necessary for the purpose to be performed. Consequently the hon. Gentlemen opposite, when in office began the *Audacious* class. They were very useful ships, with eight inches of armour, and capable of going to foreign stations. [Sir JOHN HAY: And capable of going through the Suez Canal ?] Yes. It was extremely desirable that there should be some small ironclads capable of going through the Suez Canal, and into ports and regions where ships of heavy draught could not go. The French had ten ships of what was called the *Alma* class. They were small and not very powerful ships, but they were useful and efficient. With the exception of the *Audacious* class, we had no ships of that class, but we were anxious to improve the design, so as to be able to get small ironclads with very thick armour and powerful guns, but less in size than the *Téméraire* and the *Superb*. We wished to reserve at present the design of the new ironclad to be built at Portsmouth, in order that we might have further opportunities of studying the question. With regard to the *Superb* and *Téméraire*, he thought they had gained much by the delay that had taken place. The *Superb* was now a more powerful ship than she would have been if she had been laid down six months ago. The result of the trial of the *Devastation* had shown that her twin screw having been deeply immersed gave greater power, and that a certain quantity of coal would carry her further than had been expected. In the *Superb* they were now able to count upon calculation as to the consumption of coal, whereby room might be gained and utilized for the armour of the ship and an increase in her defensive power, it being possible to raise the size of her guns from 18 to 25 tons. The naval architects at the Admiralty had now produced a design which it was hoped would compete with any ship that had yet been completed. The *Superb* would have a bow-fire perfectly unprecedented. She would have twin screws; she would have three distinct batteries — one on the main deck with two 25-ton guns; one also on the main deck, amidships, with six 18-ton guns, three on each side; and one in the upper deck of four 18-ton guns. She would thus have a broadside fire of six guns on each side, one being of 25 tons, and the other five of 18 tons. Right ahead she would have a fire of two guns of 25 tons, and two of 18 tons, and right astern she would have a fire of two 18-ton guns, and would be protected by a foot of armour at the water-line. She would also have a water-tight bulkhead fore and aft, and would have two sets of engines perfectly independent of each other. If, therefore, by the explosion of a shell one engine were disabled, she would be able to use the other. The *Téméraire* would be 40 feet shorter than the *Superb*, and 1,000 tons smaller. She would have two batteries on the main deck, the foremost one of two 25-ton guns, and the aft one of four 18-ton guns; but while the arrangement of her main deck would resemble that of the *Superb*, it was proposed to introduce—for the first time, he believed—on her upper deck a barbette tower. Being open on the top, this barbette would not give the same protection as other towers; but, on the other hand, the advantage would be gained of a free range over the whole of the horizon, and the tower would be protected by 10-inch armour, while the men would be screened against musketry fire. Much attention would be excited by this barbette tower, which the French had adopted in nearly all their ships. There would be other opportunities of explaining these designs, and if he shrank from going into any further details, he trusted the character of the ships would not thereby be prejudiced. He might, however, say, without boasting, that as regarded the *Superb*, she was fully equal, and he thought superior, both in her armour and armament to any of the existing turret ships. As regarded the *Téméraire*, he fully believed she would prove a most formidable fighting ship. He now came to the torpedo ship, the *Vesuvius*. In the Estimates of last year a Vote was taken for this ship, and if it were said of this vessel also that the progress made had been but small, the Admiralty could reply that further experience had been gained, and that they had been able to improve upon the design originally proposed. The torpedo ship of last year was to have a speed of 10 knots, and to be of 500 to 600 tons. It was found that nearly the same speed could be got out of a smaller ship, and that there was an advantage in discharging the torpedo from a small and almost invisible vessel carrying noiseless engines. Such a vessel ought to be distinguished by great handiness and speed, and it was proposed to build a small ship of this character of about 240 tons with a submerged tube, in order to try an experiment with the Whitehead torpedoes. If the experiment were successful, the principle might be applied to ships already built and in the service. Having now exhausted the question of iron-clad ships, he would very briefly state what they proposed to do with regard to unarmoured ships; but, before describing it, he wished to say something about what had already occupied public attention, and which he had, no doubt, would be mentioned in the course of that discussion—namely, that of the delays in the dockyards, and the comparatively little progress that had been made there, with what had been put forward last year. The noble Lord the Member for Chichester (Lord Henry Lennox) told him last year that if he (Mr. Goschen) accomplished all that he laid down, he would be a conjuror. He had now frankly to admit that he was not a conjuror, and he had not succeeded in accomplishing his task. They were, no doubt, behind in their shipbuilding in not being able to employ so many by 1,000 men as they hoped to be able to do at the beginning of the year. Some of that delay was, no doubt, to be attributed to that result; but it was also to be attributed in part to the errors of calculation as to the state of advancement of the ships at a given date. The Admiralty had been informed at the end of 1871-2 that the *Thunderer* and the *Devastation* would be in a good state of advancement on the 1st of April, at the beginning of the financial year, and they anticipated in the Estimates that they should require about 100 men on each ship to finish them off. The result, he regretted to say, was that they had to employ 500 men on the *Devastation* alone from the beginning to the end of the year, and almost as many on the *Thunderer*. The reason of that was that the officers of the dockyards, from want of experience in regard to an entirely new type of ship, had not sufficiently appreciated the great and complicated details connected with work of that kind, and conducted their calculations according to their ordinary method, which had broken down in the case of two such ships as the *Devastation* and the *Thunderer*. Then he was also prepared to admit that it was doubtful whether the communication between the dockyards and the Admiralty had been sufficient with regard to the amount of work that had to be done; at any rate, it had not been sufficient to make officers of the dockyards parties to the programme that the Admiralty undertook to carry out, the calculations as to the number of men required having been made at the Admiralty and not at the dockyards. It had been his duty last year to propose the appointment of a new officer—the Surveyor of Dockyards—and now there was a distinct communication between the Admiralty and the dockyards, and every detail of their programme 1873-4 had been considered in strict concert with the master shipwrights and engineers of the yards. That programme had been framed on a different principle from that hitherto adopted. Not only did they state the number of men they were going to employ on shipbuilding, but also the number of men that would be employed on each ship under repair, and the amount of money to be spent upon her. They hoped that by carrying out the details of that programme in conjunction with the Plymouth and Chatham officers, to ensure accuracy in their Estimates on this subject, not for that year alone, but for years to come, so that they might avoid the vagueness that had belonged to former Estimates. During the year 1,700 men had been employed on iron-clads instead of 1,500 as contemplated; but the anticipated amount of work had not been accomplished. They had had further difficulties to contend with. The case of the *Megæra* showed the necessity of taking precautionary measures with regard to iron ships that had not before appeared so indispensable in their dockyards. The indestructible nature of iron had been too much assumed, and too little attention had been given to the liability of corrosion going on in certain places—a number of them being inaccessible—in the older class of ships especially, such as the *Megæra*. Though the examination of many such places as had been reached proved that no very serious mischief had been going on, they had ample cause to rejoice that they adopted that view. This kind of work, examining the bottoms of ships, opening out hidden places, and remedying defects in them, had involved a large amount of work that they did not anticipate, and that did not appear on the Estimates; but it was satisfactory to have such work done, and they hoped that no case like that of the *Megæra* would ever occur again. As that class of work had taken away a number of men from other classes, they had not been able to build to so large an extent as they expected. Then they had come to the conclusion that, looking to the wear and tear of their finest and largest iron-clads, it was better, when their newest ships had gone through a certain amount of service that had tested their capacity, to keep them at home prepared for any emergency, and that older ships should be sent into their absent squadrons. Accordingly, they had withdrawn the *Monarch* from the Channel Squadron, not because she had run out of her commission, but because they thought that the class of ships to which she and the *Hercules* belonged should, after a thorough trial of their powers, be husbanded for time of war. These ships would be kept as perfectly ready for sea as if in the squadrons, but would not be wearing out their engines and boilers. A similar course had been pursued with our best corvettes, it being thought more prudent to withdraw the *Inconstant*, *Active*, and the *Volage* from the Flying Squadron, where there was much wear and tear, and vessels had to be prepared to take the place of vessels thus husbanded. To prepare these, much additional labour and money had to be expended during the past year. Other causes of expenditure were the changes which it had been found necessary to make in the armaments of ships from the increasing power of guns, the number of guns having been multiplied in some cases. An 18-ton gun would be substituted for the 12-ton gun in the firing bow of the *Monarch*, and the armament of several ships had been strengthened, owing to the increasing power of gunboats. The Flying Squadron had been twice, instead of once, on the hands of the Admiralty during the year, storms more fearful than for many years past having caused a great deal of wear and tear, though few disasters. It was disappointing, when a good many men were employed on building, to have a squadron come back with a number of defects to be made good. These were some of the causes why the estimated amount of work had not been attained. This year it was proposed to employ 650 more men in the dockyards, but not so many in shipbuilding. That, he regretted, but the repairs had been carefully looked into, and it was believed that to insure the carrying out of these an increased number of men was necessary. A further cause of increased expenditure, he might mention, was the necessity of replacing a number of boilers in our iron-clads that had run out their ordinary time of wear and tear. That matter gave the Admiralty some anxiety, not so much in regard to the state of the boilers as regarded the expense in the future. They found that boilers employed in the Navy did not last so long as they did in former days, and they had placed themselves in communication with several private firms, in order that they might compare notes with them as to the wear and tear of boilers in our ships. He was assured by competent judges that the wear and tear did not depend alone on the length of time during which boilers were in use, but that what particularly tried them in our men-of-war was the frequency with which steam had to be got up, and the changes that the boilers were constantly going through. The Admiralty had a question pending as regarded super-heaters, and their effect upon the durability of boilers. In the case of the *Nymph*, they found that the boilers had lasted only four years, those of the *Daphne* had lasted four years only, those of the *Philomel* only four years, and, in the case of another vessel, about seven years. In the year 1873-4, he was sorry to say, it would be necessary to deal with the boilers of six of our iron-clads, including the *Defence*, the *Resistance*, the *Minotaur*, the *Black Prince*, and the *Lord Clyde*. The last-named vessel would not have required attention in that respect so soon if the recent accident had not happened to her. It was on account of the urgency of those repairs that they were obliged to ask the Committee to sanction an increase of workmen. It had been stated that in the speech he made at Bristol, he said—"We had never less arrears of shipbuilding than we had now." He did not say that. What he said was—"We have completed up to the present moment nearly all the ships that belong to the past, and we have few arrears as to ships that were laid down by our predecessors." The position at this moment was that, besides 2,200 tons which they had to build on vessels on the point of completion, they had only two ships, the *Fury* and the *Blonde*, belonging to programmes prior to 1872-3. On these they would make progress to the amount of 2,600 tons in the year 1873-4. There were about 9,360 tons to be done on ships commenced in the year 1872-3, and they hoped to build 5,500 tons on ships to be commenced in 1873-4. The Admiralty proposed to build a new corvette at Devonport, and a new corvette at Sheerness, and to order a new corvette by contract, believing that corvettes formed the point on which they were numerically weakest. They proposed further to begin a large covered corvette at Chatham, but intended to devote their chief energies there to the *Superb* and the *Téméraire*. They propose to order six new gunboats by contract, but he did not bind himself to have them all of the *Coquette* class. He ought to have mentioned a change which they made in their programme for 1872-3. They had proposed to build a corvette at Devonport, but finding, from causes to which he had referred, that comparatively little progress had been made, they determined, in order not to lose time, and hoping to carry out the intention of Parliament, to build the ship by contract, instead of commencing her at Devonport. Accordingly the *Rover*, a ship of the *Active* class, had been commenced, and great progress would be made with her in the current year. The same thing had been done as regarded Chatham, and the *Daring*, instead of being built there, will be constructed by contract. He had now stated the important points connected with their programme, and he would not detain the Committee by summing them up in detail. They proposed to build during the year 20,000 tons, of which about 14,000 were to be spent on unarmoured ships, and 6,000 upon iron-clads, and of the total about 14,000 tons would be built in their own dockyards and about 6,000 tons by private contract. He trusted that he had made a good defence of their policy as regarded the policy of not hurrying on the building of iron-clads till they were perfectly satisfied with their designs, and that he had shown that they had pursued a policy both economical and efficient in withdrawing their most valuable ships from the constant wear and tear to which they were exposed. There was a total increase in the Vote for dockyards of £136,000. Of that sum, £44,000 was due to an increase in the numbers of labourers employed, and £9,000 to various small items, including £3,000 for metropolitan police. Deducting these two amounts from £136,000, there remained £83,000, which represented an increase which he proposed to make in the scale of wages in the dockyards. He was conscious that in proposing to increase these wages he was doing a very important act, because they had to deal as well with the "established" workmen in our dockyards, who had what he might call life contracts, as with the class called "hired" workmen. Each dockyard was divided into two great branches, the shipwrights' department, and what he might call the engineers' department. The main portion of the shipwrights employed in our dockyards were "established"—that was to say, they worked at a fixed rate of wages and received a pension at the end of their service. On the other hand, the men in the engineers' department were engaged on the mercantile principle, and received wages according to the fluctuations in the market. He was bound, however, to say that it was much easier for a Government establishment to follow the fluctuations of wages when they were upwards than when they were downwards. There were two classes of unskilled labourers employed in the dockyards, established and hired. The wages of the former were in the year 1859 12*s.* per week; but although they had been engaged on life contracts at that rate various small additions had from time to time been made in their wages until in the past financial year they had received 14*s.* per week. In August last, however, owing to a variety of circumstances, their wages had been increased by 3*d.* per day bringing it up to 15*s.* 6*d.* at which point it now stood, an increase which would involve a cost of £12,000 per annum; also there had further been an increase in the wages of hired workmen other than unskilled labourers, entailing a further annual cost of £10,000, so that they started this year with an increase under these heads of £22,000. Then as regarded the engineers' department—the factory where the mercantile principle prevails—they were obliged to take £8,000 in addition to meet an increased scale of wages which they felt they were obliged to give. It would be seen, therefore, that the Admiralty had had to face the difficult question of an increase in the rate of wages; but he did not wish the impression to go forth in the yards that there was an intention to raise the wages of every man employed in them. The Admiralty intended to be guided in the matter by sound mercantile principles. He now came to the question what was to be done with the established unskilled labourers. Were they to be left at 15*s.* 6*d.* a-week? We have power to say that they shall continue to work at that rate, because they have life contracts with us. But looking to the matter as large employers of labour, looking at the equity of the case, and many other circumstances with which he need not detain the Committee, he was prepared to say that he considered it right and necessary to make an increase in their wages by 3*d.* per day, regarding that as a final settlement. With reference to the hired labourers, they proposed to raise their wages from 15*s.* to 16*s.* 6*d.* — not to give to every labourer that sum, but to place it in the power of the dockyard officers to raise the wages to that amount, so as to enable them to winnow the inferior men from the good men. He did not for a moment wish to deceive the Committee upon this point. Labourers could be obtained for 15*s.* per week, but the quality was not in all cases what could be desired, and he believed that this increase in the wages would result in greater economy to the public service. The increase to the labourers hired and established would absorb about £9,000. He would now come to the skilled workmen, with whom they had life contracts. Shipwrights now received 4*s.* 6*d.* per day, and he had to ask the sanction of the Committee to increase the wages of the established shipwrights by 6*d.* per day, and the wages of certain other classes of workmen by 3*d.* a-day. He fully admitted that this was a very serious increase, but he did not wish to take the slightest credit for proposing it. Nothing could be worse than for any Government to claim credit for raising the wages of those in its employ. Her Majesty's Ministers had never erred in the direction of attempting to purchase a popularity cheap to themselves, but most costly to the public, by being liberal with the money of the taxpayer. Therefore, he by no means wished that this increase in the labourers' wages employed in the dockyards should be regarded as a liberal measure on the part of the Government. It was a grave thing for an employer of labour to state publicly the grounds upon which he thought it right to raise the wages of his servants, and he trusted, therefore, that the Committee would not ask him to state in detail the grounds which had led him to propose this increase in the wages, although he could assure them that those grounds had been most anxiously considered by the Admiralty. He might, however, state that the shipwrights began with working in wood, but were now engaged in the construction of iron ships, a work in which greater skill was required, which was more destructive to their clothes, and in which a greater number of accidents occurred than in the construction of wooden vessels. But besides this the workmen who were formerly workers in wood, and who then compared their position with other workers in wood, were now workers in iron, and compared their position with that of other workers in iron, and workers in iron as a general rule were more highly paid than workers in wood. It should be understood that they did not propose to give that increase in consequence of the high prices of commodities generally; and he ought to add that they thought it was better that that addition should be made to the wages of those workmen without Parliamentary pressure, than that Members of Parliament should be induced to interfere upon this point between the Government and their *employés.* No doubt 6*d.* a-day was a large increase, but they thought it was better that the measure they adopted on the subject should be thorough and final, and that no expectations of a further rise should be entertained. This increase in the wages of skilled labour would entail an additional annual expenditure of £44,000. The Estimate for the present year under this head would be in excess of that of former years by the sum of £136,000, part of which as he had shown was due to the rise in the wages, and part to the increase in the number of men employed. He should be compelled to defer stating to the Committee what had been done with regard to torpedoes. The Estimate for the Store Vote was £130,000 in excess of that of last year. There was an increase in the amount taken for timber of about £50,000, partly due to dearer prices, partly to the fact of more wooden ships being built. The increase in the price of coal had swollen the Estimates by the sum of £60,000, and in that of metal articles by £30,000 or £40,000. He would not enter into particulars with regard to the Vote for engines and machinery and for ships building by contract; but he would state generally that the increase in the Estimates due to dearer stores, dearer engines, dearer iron, and higher wages, amounted to £390,000, which would more than account for the total increase in the Estimates over those of last year. With regard to the *personnel* of the Navy, he should confine himself to stating that it was only proposed to diminish the numbers to be voted by 500 boys, which would in no way injure the fighting force of the service. He had explained his reasons in the commencement of his speech. He wished also to mention that a new retirement scheme for paymasters would reduce that class of officers from 240 to 200, and of assistant paymasters from 350 to 230, but there would be an increase of 50 writers. The Committee would, he thought, concur with him in the opinion that whenever it was possible to substitute fighting for non-fighting men in a ship the change was likely to be productive of great advantage. The reduction in the Navy Estimates due to the cause which he had just mentioned was £18,000 a-year, and the reduction had been effected by means of the adoption of a better system of ships' books. He might add that during the year an efficient and painstaking inquiry had been made into the system of accounts in the Navy, which had been undertaken with great public spirit by Messrs. Turquand and Young, who gave their services gratuitously. These gentlemen having gone through the accounts in conjunction with the Financial Secretary of the Admiralty and the Accountant-General, pronounced the system on the whole satisfactory, although they specified certain alterations which it might be desirable to make. For his part he thought the Committee would consider that the thanks of Parliament were due to Messrs. Turquand and Young for the valuable services they had thus rendered. As to the corps of Royal Marines, he wished to take that opportunity of saying that he had never regarded them otherwise than as a most important and valuable force, and one with which it would be unwise to tamper. He begged, therefore most emphatically to state that he had no ulterior design with regard to the corps, so that the idea that a reduction or change in the nature of the corps was about to be made might at once be dispelled. The Marines were all trained to the service of guns, and they were ready on any emergency to man our ships and fight our guns with the utmost efficiency, while they could be recruited in the same way as soldiers. He would not deal that evening with the question of the Royal Naval Reserve nor with the Volunteer movement, which he was glad to see had been extended to the Navy. When his hon. Friend the Member for Hastings (Mr. Brassey) brought forward his motion on the subject of our Reserves, he (Mr. Goschen) would be prepared to make a statement with regard to that Volunteer movement. In conclusion, he wished to say a few words with regard to the Royal Naval College at Greenwich, which had been started since the close of last Session and under the most favourable auspices. He had been so fortunate as to secure the services as President of Admiral Cooper Key, and he could not speak in terms of sufficient praise of the way in which that gallant officer had thrown himself heart and soul into the work. It had also secured the services of men of very high standing as Professors, and he thought it a great point that by means of the College a connecting link was made between the scientific world and the Navy, and that a scientific spirit would be developed there which would greatly assist in the solution of many of the problems which the authorities at the Admiralty now had to solve. He hoped by every possible inducement to get naval officers to go there, not by taking them away from their naval duties, but by enabling them to spend there with advantage the interval during which they were obliged to remain on shore. He might add, in reply to the hon. and gallant Member for Portsmouth (Sir James Elphinstone), that an addition had been made to the half-pay of officers below the rank of captain who went to study at Greenwich. He merely wished to add that every effort had been used by the Admiralty to obtain the best assistance in solving the difficult problems with which they had to deal. They had upon their hands more scientific controversies than any other department, and he would conclude by expressing a hope that those controversies would not be increased by others of a party character. The right hon. Gentleman moved a Resolution to the effect that 60,000 men and boys be voted for the Naval and Coastguard service, for the year, including 14,000 for the Royal Marines.

Lord HENRY LENNOX said, he had, under any circumstances, intended to appeal to the indulgence of the Committee while he made some observations on the statements which had that night proceeded from the First Lord of the Admiralty. He stood there with one absent from his side, who, as his Friend had kindly guided him in his acquisition of a knowledge of naval matters. He felt his Friend's (Mr. Corry's) loss, and he felt his absence, and as such he appealed to the indulgence of the Committee. And how much more did he feel it when he was called on to-night in a somewhat responsible position to answer the speech of a Minister of the Crown which lasted for three hours and a-half. He listened to the speech of the right hon. Gentleman with great advantage to himself and with deep interest; but he was sure that the Committee would feel that he was under disadvantages in having to reply to so high an authority. He intended to preface his statement by the fact that the Committee had at length arrived at the days when they were called on to examine and to criticize increased Estimates, and it had been his intention to state at the outset that it was not on the ground of increased expenditure that he ventured to think those Estimates were most unsatisfactory, but because he believed that those Estimates would not promote or secure the efficiency of the Navy. He had thought that no Englishman who listened to the statement of the right hon. Gentleman (Mr. Goschen) last year on the splendid duties which our Navy was called on to perform all over the globe would think those duties were uncalled for; but comparing the statement made by the right hon. Gentleman to-night with the performances which had since occurred, he (Lord Henry Lennox) was by no means confident that the Estimates now before the House would meet the difficulty. With regard to the dockyards, he was the last person to court popularity. He approved cordially of the increase of wages in the dockyards, but he declined to pledge himself to approve of the details of the increase, because he could scarcely follow what they were. He trusted they would promote contentment among men who in an age of strikes and combinations had remained faithful to the Government, and had not allied themselves with any of those movements. It was very seldom that he agreed with anything proposed by the right hon. Gentleman (Mr. Childers), but he did concur with a part of the statement that he made in 1869, when he moved the Navy Estimates. He said that he came down to that House not only with the Estimates but also with a definite policy, one that he believed would recommend itself to the House of Commons and to the country. He (Lord Henry Lennox) thought that any great increase or decrease of expenditure should be based upon a definite policy which should be announced to the House; but he was sorry to say that so far as he could follow the speech they had just heard, no definite policy was laid down upon which to place the proposed increase of expenditure. He thought that the want of policy which had existed for the last four years with regard to naval affairs had been productive of the greatest possible mischief. The right hon. Gentleman the Member for Pontefract (Mr. Childers) had several definite policies, but they had almost all been abandoned by his successor and Colleague upon the Treasury Bench. The right hon. Member was for giving up building wooden ships and confining ourselves to iron ones; but now the Committee were asked for a large increase in the Vote for the purchase of timber for the construction of a large number of these vessels. He also advocated ships of the *Devastation* class, a proposal opposed by Mr. Corry and his hon. and gallant Friend beside him (Sir John Hay), who divided the Committee against it. But he (Lord Henry Lennox) divided against those hon. Friends with whom he generally acted upon that question, because the First Lord upon that occasion said that he had most anxiously and carefully considered the question, and therefore he (Lord Henry Lennox) declined the responsibility of voting against the Estimate. The main reason of the long delay in constructing these vessels, as to which the Government had satisfied themselves so thoroughly, was that they had been relegated to the mercies of a Committee of 16. He believed the time had come when they should review calmly and carefully the naval policy of the last four or five years, and the expenditure which it had entailed upon the country; and, to show that he had no personal or party views, he would start with the Estimates of 1868, for which he was partly responsible, and which were declared "redundant and bloated" by hon. Gentlemen opposite at the General Election in that year who advocated national economy. The right hon. Member for Pontefract, on acceding to office, certainly redeemed his pledges, for in 1870 he made the wholesale reduction of

£1,046,000, and in 1871 a smaller reduction. Since the present First Lord of the Admiralty had been in office the Votes in which the main reductions of his predecessor (Mr. Childers) were made had constantly, yearly and gradually, increased, until they had in some instances greatly exceeded the "redundant and bloated Estimates" of the Conservative Government, and in others closely approached them. No one, he was sure, would more readily endorse the statement that the Estimates he (Lord Henry Lennox) found were for an exceptional purpose than would the right hon. Gentleman the Member for Pontefract. Indeed, he had frankly stated that reductions would have been proposed had the official life of the late Government been spared. He observed by Vote 1 that the total number of men borne this year on the Navy was 60,000, as against 64,000 the first year the right hon. Member for Pontefract was in office, and as against 67,000 the year the late Government were in office. He did not object to that diminution in the force of the fleet if the right hon. Gentleman the First Lord was convinced that he had a sufficient number of blue-jackets for the proper manning of the Navy—enough in reserve in the event of an emergency arising for the manning of all the first class ships. The right hon. Gentleman had probably often heard in naval circles of the great advantage we experienced by having a redundant reserve when the difference occurred between our Government and that of the United States with respect to the seizure of the Trent, and by means of which the Duke of Somerset was enabled within 48 hours to man nine frigates and have them ready for service. He hoped the right hon. Gentleman would state whether he considered 60,000 would be sufficient in the event of a sudden emergency arising. One of the reductions proposed by the right hon. Gentleman opposite (Mr. Childers) was in Vote 3—that for the Admiralty Office at Whitehall—In 1868-9 that vote amounted in round numbers to £182,000; in 1869-70, the first year that the right hon. Gentleman the Member for Pontefract was in office, to £168,000; in 1870-1, to £159,000; in 1871-2 to £163,000; in 1872-3 to £173,000, while in the present Estimate it amounted to within a trifle of £175,000. He would be the last person to grudge anything in the way of reasonable expenditure for the Admiralty Office at Whitehall. During the two years he had been associated with the gentlemen there he had, found them zealous in the discharge of their duties and honourable in their conduct. A set of men more anxious to do their duty to their Sovereign and to those in office, whatever might be their political opinions, it would be impossible to find, and he much regretted that an hon. Gentleman opposite (Mr. Baxter) who once held a very influential position at the Admiralty, as he now did at the Treasury, should have thought fit to repeat a statement he had made reflecting seriously on the honour of Admiralty officials—a slight at which those gentlemen, if they did not resent it, felt deeply hurt. He would not go into the details on that occasion, but the Committee would see that there was a considerable increase also in the vote for the Controller's Office. He had heard nothing to alter the opinion he expressed last year that to appoint a council of seven to carry on the work of designing the ships of the Navy was a plan for frittering away responsibility, and not for improving naval administration. The right hon. Gentleman the Member for Pontefract had taken great credit for the reduction he had effected in the Vote for Naval Stores, No. 10, for which, if he understood the First Lord of the Admiralty, the excess for the present year was £90,000. — [Mr. GOSCHEN: No; that was the amount for the year 1872-3.] He (Lord Henry Lennox) understood the right hon. Gentleman to have referred to the present Estimates. In the so-called exceptionally "redundant" Estimates of the Tory Government the Naval Store Vote amounted to £892,908. The following year the right hon. Gentleman the Member for Pontefract startled them all by announcing a reduction in the vote to £801,000, being a saving of upwards of £91,000. In the following year he followed that up by a further reduction of £22,488. But, like Vote 3, that Vote had since gone on increasing. He was told that the present increase was owing to the high price of coal, but he had taken the trouble to eliminate from the Estimate the expenditure under that head, and found that there was a saving on account of coal of £40,000 instead of an excess. In

1870-1 there was a decrease in the Store Vote of £22,488. In 1871-2 there was an increase of £58,800; in 1872-3, an increase of £90,545, while this year the Vote reached the enormous figure of £1,072,380, being £179,472 in excess of the sum asked for by the "extravagant" Government of which he had the honour to be a Member in 1868-9. There was a remarkable circumstance connected with the Store Vote, which tended to show the great sagacity and foresight of his lamented Friend Mr. Corry. In August, 1871, a question arose with respect to the Victualling Stores, when it was found that from the extraordinary abundance we had in the yards, we might send over a supply of biscuits to the besieged poor of Paris. His lamented Friend said that it was all very well to talk of the Victualling Stores, but what about the Naval Stores—the masts and timber—and that if the First Lord had to put in commission all the ships he ought to have done he would have to make a heavy purchase of stores which on a sudden emergency could not be purchased with advantage to the country. What proved to be the fact? The first year that the right hon. Gentleman the Member for Pontefract (Mr. Childers) held office there was a decrease in these items of £54,802. In the following year there was a further, but small decrease of £797. From that time the Vote had increased. In 1871-2 it was increased by £41,415; in 1872-3 by £86,734, and now it was proposed further to increase it by £44,808. Therefore, since his lamented Friend had given the warning as to the result which must follow from not having a sufficient supply of masts and timber, the vote had gone on increasing. He also observed that last year the First Lord made a remarkable statement with regard to this item. He said that he had effected a saving in the financial year on Section No. 2, and had expended the saving in increasing our stock of stores. The right hon. Gentleman took credit to himself because there was a saving on Section No. 2—in shipbuilding by contract—and that the saving had been expended in increasing our stock of stores, because the price of most articles had gone up. Now, it was very bad policy in the end to attenuate our stores, to the last degree. He considered it a most extraordinary subject of congratulation to find that there had been such a saving in ships built by contract. The First Lord asked for the ships that were necessary for the service, and nothing more, and if he could not have had them launched at that period it would have been anything but a source of congratulation. The next Vote to which he would refer was Vote 6, and here the First Lord had his most perfect sympathy. The right hon. Gentleman said "the noble Lord opposite (Lord Henry Lennox) will say that he warned me that if I were not a conjuror I could not fulfil the programme I had proposed." Now, he (Lord Henry Lennox) denied that statement, and would prove it from the right hon. Gentleman's own words. He told the right hon. Gentleman that repairs and refits governed the strength of the fleet, and that he would always find himself short in his shipbuilding—that if the Channel squadron came in for repairs the builders must be taken off the ship, however important the building might be. He told the right hon. Gentleman so for two year's running, and what did he now say? He was going to enter a large number of men in the dockyards in consequence of the necessity that existed to undertake the repairs of the fleet. He could quite understand why the right hon. Gentleman should glance lightly at that matter, and not give him (Lord Henry Lennox) the credit which was due to him for warning him from a policy which had not proved creditable to the administration. The right hon. Gentleman had made several allusions to letters and articles which had appeared in the newspapers, and more especially to a letter respecting a Russian ship, and entered into an elaborate statement on the subject. Now, he protested against having saddled upon him the statement that he was guilty of a want of patriotism in showing up the shortcomings in our dockyards. As to supposing that anything said here enlightened foreign Governments, the youngest hon. Member of the House would not for a moment credit the statement. The Vote to which he was referring had followed the same order as the Votes which he had mentioned. In 1868-9 it was £1,200,000; in 1869-70 £1,086,000; in 1870-1 it was reduced to £878,000; then in 1871-2 it rose to £967,000; in 1872-3, to £978,000; and in 1873-4 it stood at

£1,115,000, or within £100,000 of those redundant Estimates—those "bloated" Tory Estimates of 1868-9 which moved the indignation of right hon. Gentlemen opposite. At that time it should be remembered, great efforts were necessary in order to bring up our ironclad Navy to that of France; while now, provision was made for only one ironclad, or possibly two, and two corvettes. And with that meagre programme the Committee were asked to vote within £100,000 of the Vote of 1868-9. He was somewhat taken aback by the elaborate argument of the right hon. Gentleman with regard to the *Devastation*, but he rejoiced to hear what had been said about the *Thunderer*, for he had never been an opponent of the mastless turret-ship. But as he had given way to the right hon. Gentleman, he might say, to use a nautical phrase, that the right hon. Gentleman had somewhat taken the wind out of his sails.

Mr. GOSCHEN: I wished to act in all courtesy to the noble Lord, and purposely omitted all controverted points.

Lord HENRY LENNOX said, that on Thursday week he would mention some points connected with the *Devastation*, which he did not propose to do at present, and which the right hon. Gentleman (Mr. Goschen) had omitted to notice in his speech. He would now proceed to notice what had been done in our dockyards in the course of the year. In his remarks upon the dockyards he wished to cast no reflections upon the dockyard authorities or upon the Controller of the Navy, feeling sure that all that could be done would be done by that gallant officer. He also wished to say that in any criticisms which he might make on the Board of Admiralty, he did not wish to reflect any discredit on the Colleagues of the right hon. Gentleman. In order to see what had been done during the year, it was necessary to look at the promises which had been made, and he would limit his remarks to two heads—one, the ships that were built in 1872, when the Estimates were brought forward; the other, ships that were then building and to be completed during the year. The First Lord of the Admiralty had told him last year that he had proposed to build about 17,500 tons of shipping, though the Estimates stated 16,041 tons. [Mr. Goschen referred the noble Lord to the statement in *Hansard*.] Whether the amount were 17,500 tons or 16,041 tons it mattered little to his argument, so strong was his case. The right hon. Gentleman stated that it was the intention of the Government to finish that year every ship in hand, except the *Fury* and that with her it was designed to make as much progress as possible. How stood the case, then, with respect to the *Superb*, the *Téméraire*, the *Bacchante*, and the *Boadicea?* The right hon. Gentleman contemplated working some 5,000 tons into the *Fury*; he had, however, succeeded in adding only 200 tons. At the time the right hon. Gentleman made this promise, 24 ships had been begun, and the commencement of five others of a smaller class was contemplated. All these were to be finished in the year, but only 15 of them had been completed, and these 15 were of the smallest class. Not only so, but they were already nearly finished at the opening of the year, and unless the Estimates deceived him, their completion had cost £1,136,000. The Naval Estimates were drawn up in the most puzzling manner, and it was very difficult for him to be assured that he apprehended them rightly, though he had devoted much attention to them. The 14 ships remaining unfinished were powerful and important ships, and two of them, the *Blonde* and the *Raleigh*, were old friends. He believed that in the year 1871 the right hon. Gentleman told the House that the *Blonde* would be finished before April, 1872, up to half of her tonnage, and that the *Raleigh* would have only 650 tons to be built in on the 31st of March, 1872; but neither the *Blonde* nor *Raleigh* was yet finished on the 31st of March, 1873, nor was it probable they would be finished until the middle of next year. The comparison of the tonnage of the completed and uncompleted ships included in the right hon. Gentleman's promise was still more remarkable. The aggregate tonnage of the ships not completed was 24,973 tons; the aggregate tonnage of the ships that were finished was only 7,093 tons. He thought that was not a proper way of dealing with the House of Commons. The right hon. Gentleman had placed in the Navy Estimates of this year, besides the builders' measurement, the displacement in each of Her Majesty's ships. He hoped that before next year the right hon. Gentleman would find out a more satisfactory mode of assuring the completion of the ships under construction. Instead of the 16,500 tons that were promised, in fact, only 9649 tons were produced.

Mr. GOSCHEN said, that some mistake had been made as to the progress to be made towards the completion of the ships. According to the ordinary method of calculating, 13,600 tons had been built during the year.

Lord HENRY LENNOX calculated there would be still 3,000 tons short of the promise even on that basis. The right hon Gentleman talked about a mistake; but having gone over the figures furnished in the Estimates, he had come each time to the conclusion he had stated. They had been told that certain progress was to be made with the *Fury*, but that promise had not been fulfilled. Nor was it clearly stated what was to be done.

Mr. GOSCHEN said, he was afraid he had made a mistake. Work was to be done upon six large and powerful iron-clads.

Lord HENRY LENNOX said, that these vessels were not new as regarded the House of Commons. They had been told that certain work was to be done upon certain ships, but it had not progressed as the House had been led to expect. The right hon. Gentleman said the Government were about to lay down another vessel of the *Devastation* class, though he could not state the details, nor would the House wish to press him upon that matter. The *Roebuck* was one of those which the right hon. Gentleman had said would be finished by March, 1873; he had stated last year that she required between 600 and 700 tons to be built into her, but although 968 tons had been added to her during the year, she still required 198 tons to complete her. This was one of the extraordinary blunders which characterised the calculations of the right hon. Gentleman. As far as he could understand the programme of the right hon. Gentleman for the coming year, he purposed going on with several first-class ships for which money had been voted in the year now closing. The money for the *Fury* was voted in 1869, and yet she had not been advanced. He sympathized with the right hon. Gentleman in having to make palatable Estimates for those who sat near him, when he knew how unpalatable they must be to those who understood the necessities of the case and cared for the efficiency of the service. He gave the right hon. Gentleman credit for his able and lucid speech, but disguise the matter as the right hon. Gentleman might, the bare fact remained of an increase of £340,000 on the current year; which had shown an increase on the year before, and this increased charge was accompanied by fewer men. Besides this, the ships in commission were 30 fewer than they were in 1868-9, and the dockyard programme was feeble in the extreme. Each year fewer ships were added to the Navy, and those which had been added by the right hon. Gentleman were laid down by his predecessors. There was another most important point to which he wished to refer before sitting down, and that was the question of the torpedo. The Admiralty in 1870 purchased Mr. Whitehead's torpedo patent, and last year the right hon. Gentleman asked for £17,800 for torpedo experiments. He would be glad to know where that £17,800 had disappeared. The right hon. Gentleman had over and over again justified his delay in building ships by stating that by that means he had been able to introduce various kinds of improvements which had been discovered in the mean time. But if that argument were good for anything, it would be an argument against building ships at all. The Admiralty bought the torpedo patent in 1870; the Committee was now discussing the Estimates of 1874, and we had not yet got a torpedo ship to try experiments upon. If the right hon. Gentleman's arguments were good for anything we might have to wait four or five years longer, and even then we should find that naval science and invention was not at an end. He (Lord Henry Lennox) was always ready to support any Estimates which would promote the efficiency of the Navy, but he could not sit there and give a silent vote in favour of an enormous expenditure which led to such small results.

Mr. SAMUDA thought that the First Lord of the Admiralty must have derived great advantage from the change in the constitution of the Board; but while he expressed his satisfaction at the statement of the right hon. Gentleman that he was in constant communication with his Board, and formed his judgments in every case in conjunction with the scientific branch of the Department, he had hoped to hear that a general and comprehensive policy was about to be entered upon; but he was very much disappointed to find that the Board had not yet decided on the type of the new ship about to be laid down, and feared they were about to return to a hand to mouth system. He had no idea until he heard it from the lips of the right hon. Gentleman himself that so strong a case existed for building ships. According to the right hon. Gentleman's statement, while during the last 10 years we built 224,000 tons we lost 215,000; and if we went back 18 years it would be seen that while we built at the rate of 30,000 tons a-year we did not after all appear to be making any progress in the number of our vessels. He apprehended there was some mistake with respect to the action of the two screws. He had never heard of the two screws being superior in their action to one screw.

Mr. GOSCHEN explained that what he had meant was not that the double screw was better than the one screw, but that upon trial the double screw had given results which exceeded the anticipations that had been formed of it.

Mr. SAMUDA regretted that our experiments with respect to the effects of the torpedo were so meagre. When he considered the importance of acquiring a knowledge of such weapons of offence, he must ask whether the right hon. Gentleman's attention had been directed to a little vessel which he had seen with astonishment and admiration in the neighbourhood of Chiswick. In the vessel to which he alluded such an extraordinary advance had been made in the use of the screw in vessels of the smallest size, and which could float in the shallowest water, that he could not help thinking the whole face of naval warfare might be changed by properly utilizing the invention. He was now speaking of a little craft built by Mr. Thorneycroft, son of the celebrated sculptor. The little vessel was not more than 53 feet long, and so light that it could be lifted with the greatest ease into the davits of a ship. He had travelled in the vessel on the Thames at the rate of 16 knots an hour, and yet the engine was so small as to be apparently incapable of such a result. One of those

little vessels let down from the deck of the *Devastation* armed with a torpedo, under the fire and smoke generated in action, might produce an immense amount of destruction upon an enemy. Why, they might, at a stroke, destroy the enemy's vessel. Such a matter, which might be productive of enormous results, could not have too much attention turned to it. He believed that these vessels showed an improvement in the action of the screw which would be of greater advantage to steam navigation than even the introduction of the beautiful mechanical apparatus called the oscillating engine, over the beam engine it superseded some years ago. He was greatly surprised with the speed of these small vessels, which seemed to start with the rapidity of a rocket, but which could yet be brought to a full stop in half a length. Indeed, he felt convinced that the well-considered use of these vessels, when their capabilities had been well developed, and efficiently applied to assist in torpedo warfare, would have the effect of revolutionizing the whole of our arrangements of naval warfare.

Mr. G. BENTINCK said, he had listened with attention to the very able speech of the right hon. Gentleman (Mr. Goschen), and he could not help thinking there were omissions in it, which he regretted; but, before referring to these, he would say a few words on some of the points to which the First Lord of the Admiralty had adverted. The right hon. Gentleman had made a sort of apology for having too many ships; but he did not think that the House of Commons or the people of this country would find fault with him on that score. Nor did he consider it necessary to account for an increase in the Estimates owing to the high price of coal, iron, and other materials. It was perfectly obvious that the fact must be so. The right hon. Gentleman seemed to suppose that exception might be taken to his Estimates, on the ground of their being excessive, by some hon. Gentlemen below the Gangway on the Ministerial side of the House. But certainly hon. Gentlemen who did take such exception would not be actuated by a spirit of patriotism, and the right hon. Gentleman might rest assured that they would not have the feeling of the House or of the country with them. The right hon. Gentleman had spoken of the maximum angle of stability in the ill-fated *Captain* as being 21 degrees. But with such a maximum he (Mr. Bentinck) could only feel surprised that anyone should have taken upon himself the responsibility of sending the ship to sea, since it was obvious that she must go down under such circumstances. He was glad to hear the right hon. Gentleman talk of the *Devastation* as an experimental ship, because it showed that the Admiralty had not made up their minds that that was to be the class of ship of which the British Navy was to be composed for the future. The *Devastation* never could be a seagoing ship. It was utterly impossible to make her fit for that purpose. The right hon. Gentleman seemed to be in doubt as to the propriety of masting or not masting iron-clads; but the masts of nearly all our iron-clads were perfectly useless, and such vessels could be handled solely by steam. Speaking of the larger class of them, there was not one that could be handled as a sailing ship. He was sorry to hear the right hon. Gentleman say that some new ships were to be built in private yards—a state of things that never ought to happen in time of peace. Our dockyards should be kept in a state of efficiency to meet not only all the requirements of the day, but of any emergency. The right hon. Gentleman had mentioned as an excuse for the comparatively small amount of work done in the naval dockyards that all the arrangements of those yards had been upset by the bad weather having driven the flying squadron into port in a damaged condition. But surely the dockyards ought to be in such a condition that their arrangements could not be disturbed by a trifle of that kind. The right hon. Gentleman had not referred at all to the subject on which the efficiency of the Navy must really rest—he referred to the struggle between armour and guns. Had the right hon. Gentleman turned his mind to that subject? If so, would he state his opinion as to the power of the gun that ought to be used in armour-plated vessels? Was the right hon. Gentleman prepared to state what he looked forward to as the future comparative position between armour-plating and guns? If he was not, he was not prepared to solve the great problem of the day; and if he had not considered the question, he was setting aside what, after all, was the most important question to be discussed. There was another point. The right hon. Gentleman had not gone into the great question as regards the Navy for the future. For his own part he maintained that for the future we must have two distinct classes of ships—one heavily armour-plated and armed for home defence, and one for seagoing purposes. There was not one of our iron-clads which could be fairly deemed a sea-going ship, and every ship for sea-going purposes should be entirely independent of coal, and should be able to be handled under canvas, and to play her part under canvas under any circumstances in which she could be placed. Again, they had been told that a certain number of ships of each class was kept in the First Reserve, and that these ships were ready for commission at any moment. Now, he wanted to know if it was the fact that these ships were actually ready for commission at any moment, because if his information were correct they were not ready, and they were incomplete in one or more of four points—in their hulls, in their rigging, in their engines, and in their armaments. We had plenty of seamen, but if the ships of the First Reserve in which they ought to be placed were not ready there was no use in having the men. Perhaps the right hon. Gentleman would give some explanation on this point. He had also been told that the rope supply was deficient in quantity, and was not of the best quality. If that were true there could not be a greater slur on the condition of our dockyards. Serious complaints had been made at home and abroad of the quality of the rope, and he had heard that the rope manufactured at Devonport dockyard had been condemned when received at Portsmouth. If that state of things existed it could only be attributed to that petty system of penny-wise economy which risked the loss of a ship for the sake of a £5 note. It was also said that the stores were not in such quantities as were required for the service. There was another question with regard to our first-class iron-clads. The Committee would remember the accident which occurred to the *Northumberland* when she parted her cable and went into another iron-clad. He wished to know how it came that a ship of that class should remain with a single anchor in the winter time without steam up ready for immediate use. He attributed it to that same wretched system of economy. He could not understand how it required an hour to get up steam unless there was some uncomfortable restriction as to the use of coal. He was informed that an alteration was made some time ago in order to fit chain cables to capstans which were already made, but, if this was true, he felt confident no sailor had sanctioned the arrangement, as it was known that such a process deteriorated the cables. Moreover, he was informed that the cables supplied to these enormous vessels were not of the largest size that could be manufactured, nor formed of the very best and strongest iron that could be obtained. There was a description of iron to be obtained of such a quality that cables made from it would scarcely part under any circumstances. He wanted to know why these heavy ships were not supplied with the largest and best iron chains that could be obtained. In conclusion, he traced these shortcomings to the practice of placing men of great abilities in positions for which they were not qualified. The misfortunes to which he had referred could not have happened if sailors, albeit men of possibly less ability than the right hon. Gentleman had had the control of the Department over which he presided, and he hoped the House of Commons would soon perceive the necessity of placing at the head of every great Public Department not only a man of ability but a man who thoroughly understood his business.

Mr. RYLANDS said, that during the last 10 years £100,000,000 had been spent on the naval service of the country, involving a great amount of undue expenditure. There had not been of late years any desire to cut down the expenditure to a reasonable and proper amount. Large sums had been for some years expended on the Navy, for which the country did not receive sufficient benefit. The result of recent changes in naval construction had been to obtain more offensive and defensive power with a less number of guns and men. It would have been quite consistent with these changes if the First Lord had been able to dispense with a number of men, instead of coming down to the House with increased Estimates. It was clear from what the right hon. Gentleman had stated that the Admiralty ought not to be too much hurried in the construction of vessels of war. There was not that absolute certainty at the present moment as to the best ship of the future which should lead the Admiralty to push forward the construction of new vessels; and, as there was no immediate prospect of war, he advised the Admiralty to pause before they proceeded with the construction of new ships, for he felt certain that in the meantime they would derive a still further advantage from delay.

Mr. SCOURFIELD said, it was impossible to delay building ships until a time of war. It would be ridiculous to ask an enemy to delay his invasion until we had a sufficient number of ships to properly receive him. The new ships were very expensive; but it was the inevitable necessity of the case that living in an age of invention we had to incur a great penalty. It would be much less if we were more stupid; but being so very clever, we must pay for it. He begged to express his satisfaction at the announcement of the First Lord of the Admiralty of his intention to raise the wages of the men in the dockyards.

Lord HENRY SCOTT regretted that the First Lord of the Admiralty had taken a Vote for 500 boys less than that of last year. He wished to know if the average number had been kept up in the training ships, or if it had fallen off. He wished also to know if it was contemplated to take boys from the district of the ports where the training ships were stationed, because if that were done he believed they would obtain a better class of boys. He wished to know from the First Lord, whether it was the intention of the Admiralty to carry out the recommendation of the Committee on Designs, as contained in a Report they had prepared with reference to increasing the class of vessels to which the *Cyclops* and the *Glatton* belonged. In that Report the Committee stated, not that these vessels were fit to go to sea in bad weather, but that they were fit to cross from port to port in favourable weather only.

Mr. SHAW-LEFEVRE, in answer to various questions which had been put during the course of the evening, said, that with respect to the boys for the training ships, the number, it was true, had sometimes been less than the number intended; but the aggregate number of boys afloat in the training ships had been fully equal to the number voted. The Admiralty were, however, anxious to make more generally known the advantages conferred by the service, and with that object a recruiting party had been formed for the purpose of spreading the information in the country districts. A plan with a view to carry out the experiments recommended by the Committee of Designs was under consideration, and would, he believed, shortly be completed. With reference to what had fallen from the hon. Member for Norfolk (Mr. G. Bentinck), with regard to chain cables and ropes, the Admiralty were always anxious that the best articles which could be procured should be supplied. It was the first time that they had heard anything of the story told by the hon. Member, and he, for one, had not the slightest belief in its accuracy. In any case, it was to be regretted that those who had primed the hon. Gentleman with that story had not first of all referred to the Admiralty, so that an inquiry might have been instituted. The Admiralty were equally anxious that none but the best ropes should be supplied to the service, and the machinery employed at Plymouth in its production had with that object been improved. And he might say that a quantity of well-seasoned yarn was always kept in hand, so that it might be used in proper quantities in the manufacture of rope for the Navy. He regretted that the lateness of the hour would not enable him to reply at greater length to the speech of the noble Lord the Member for Chichester, who so ably represented the late Mr. Corry, whose loss they all deplored. In the complaints made by the noble Lord, he appeared altogether to have lost sight of the fact that there had recently been a great rise in the price of iron, copper, coal, and other materials, and of all articles required in the service, and at the same time a considerable advance in wages; these two circumstances involving this year an increase of £390,000 upon the expenditure of former years. The noble Lord had stated that the Store Vote had nearly reached the point at which it stood during the "bloated armaments" of a Tory Government, and though he felt no disposition to quarrel with the phrase, he desired to point out to the noble Lord that, in spite of the increase in cost of materials and wages, the Votes were £1,300,000 below the amount voted in 1868-9. [Lord HENRY LENNOX explained that he had referred to the Store Vote alone, which was in excess of the Store Vote for 1868-9.] That was true; but the noble Lord had forgotten or had ignored the increase which had arisen in the cost of materials. For instance, iron, which in April, 1871, cost a little over £7 a ton, had on the 1st of July last reached £13 a ton, and cost now over £13 a ton. Coal and copper, in the same way, had risen considerably in value. The Admiralty had found it expedient to make arrangements for supplying ships at foreign stations with foreign coals. Coals supplied to foreign stations from the immediate neighbourhood cost less by a third than coal supplied from England. He admitted that coal supplied from Australia, for instance, was not quite equal to the best Welsh coal; but no complaint had reached the Admiralty from our cruisers in Australia with regard to the coal supplied to them. Coal from Nova Scotia reached Bermuda in seven or eight days, but coal from England could not reach Bermuda before the lapse of five or six weeks. It was a matter of the utmost importance that vessels at foreign stations should be supplied with coal at the earliest period. With regard to the timber Vote, to which the noble Lord had adverted, he wished to remind the Committee that in 1867-8 the stock of timber in the dockyards was valued at £1,500,000. It was now valued at about £500,000, and the unwisdom of keeping a large stock of timber was shown by the fact that it depreciated in value about £50,000 a-year. Though there was an increase of £40,000 in the Vote this year—one-half of which was due to increase of price—they only proposed to purchase the normal amount of timber for the dockyards. The noble Lord stated that Vote 3 this year was larger than the amount which was proposed by his Board—[Lord HENRY LENNOX: I said it was nearest in amount]—but if the noble Lord had made the proper comparison, and included the Coastguard Vote, which was then included but now separated from this Vote, he would have found that there was a reduction of £16,000. Then on Vote 6 he would find there was expended, 1867-8, £1,424,000, whereas they asked for 1873-4, £1,115,000, of which sum £83,000 was due to increase of wages. He thought the noble Lord would approve of the policy of completing the vessels which they had begun, rather than laying down a large number of new iron-clads.

Sir JAMES ELPHINSTONE said, the speech of the First Lord of the Admiralty had raised a number of points which could not be discussed that night. He should not object to the first two Votes being taken that night if it were distinctly understood that Vote 3 should be discussed on a subsequent occasion.

Mr. GOSCHEN believed that all the more important questions which had been raised to night could be discussed on Vote 6. He would take that Vote on the first opportunity which presented itself, because he was anxious that the question of the wages of the artificers in the dockyards should be settled as soon as possible. He did not think the discussion could be taken on Vote 3.

Sir JOHN HAY said, that the right hon. Gentleman had not referred to the remarks of his noble Friend (Lord Henry Lennox) on the subject of the number of men and of the reserve. He thought that that question should be discussed at a more convenient time.

Mr. GOSCHEN said, the noble Lord had asked if they had got sufficient men to man all their first-class Reserve. They had more men than would be sufficient; and in fact, a larger number than he liked.

Sir JAMES ELPHINSTONE repeated that if the Votes for the number of men and for the victualling of the Navy were agreed to, it ought to be on the understanding that the discussion might be renewed on a future occasion.

Sir JOHN PAKINGTON thought that the application of the hon. Baronet was a fair and reasonable one, considering the length of time the right hon. Gentleman had occupied in his opening statement and the present late hour of the night, ten minutes to 1 o'clock.

Mr. GOSCHEN said, that every facility would be given for the discussion consistently with the forms of the House.

Vote *agreed to.*

(2.) £2,629,884 Wages, &c.

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

Mr. Shaw Lefevre

SUPPLY—TELEGRAPH DEPARTMENT.

EXPLANATION.

Resolutions [March 21*st*] *reported.*

Mr. SCLATER-BOOTH took the opportunity of correcting a mis-statement made the other night by the hon. Member for Brighton (Mr. White) respecting the expenditure of money by the Telegraph Department. The hon. Member had on the occasion to which he referred used expressions disparaging to the Audit Office. He thought it necessary, under these circumstances, to state, on the part of the Committee on Public Accounts, that they were not only satisfied, but more than satisfied, with the zeal and ability which had been shown by the Controller and Auditor General and the staff of officers under their command. The passage in the Report of the Public Accounts Committee to which the hon. Member had referred was merely intended to point out that at present there was no sufficient check upon the financial concerns of the Post Office. In making these observations he merely wished to guard against an inference being drawn by the hon. Member for Brighton from a passage in the Report, which it was not intended to bear by the Committee.

Mr. LIDDELL said, that if any blame was to be attached to the Audit Department, he thought it was to be attributable to the Treasury, for the Audit Office was undermanned.

Resolutions *agreed to.*

SALMON FISHERIES COMMISSIONERS BILL.—[Bill 85.]

(*Mr. Winterbotham, Mr. Secretary Bruce.*)

THIRD READING.

Order for Third Reading, read.

Mr. DODDS inquired of the Government, Whether they would consent to continue the present Salmon Fishery Commissioners, and to give them extended powers?

Mr. WINTERBOTHAM said, he could not give the hon. Gentleman any pledge on the subject. Such was certainly not the present intention of the Government.

Mr. DODDS expressed his regret that the Government should have thought it necessary to hurry this Bill through the House at this early period of the Session, and he complained that the Bill superseded the present Salmon Fishery Commissioners just at a time when their labours were becoming more valuable than ever, and the results from those labours were becoming every day more apparent in the increased production of salmon. In his opinion the proper course would have been not only to have continued them, but to have given them extended powers. As Chairman of the Salmon Fisheries Committee which sat some Sessions ago, he could bear testimony to the admirable manner in which they had performed their duties. They had inspected most, if not all, of the large rivers in England, and had made the most searching inquiries, the result being that regulations were adopted which had had the effect of largely increasing the production of salmon. He had fully expected that the Government would have inserted a clause in this Bill continuing their existence, if it were only for two or three years, and he expressed himself much disappointed at finding they had not. It was useless of course to oppose the measure; but he must express his opinion that the gentlemen to whom he had alluded had been very coldly treated by the Government.

MR. WINTERBOTHAM said, that he did not in the least deny that the services which the Commissioners whom it was proposed to supersede by this Bill had rendered had been most valuable to the country; but, at the same time, the Government were of opinion that, for all real practical purposes, their work was done. They had held very few sittings during the past two years, and it must be remembered that the cost of maintaining the Commission was many thousands of pounds a-year; and the Government did not feel justified in incurring any longer the expense of continuing the Commissioners, and especially of extending their powers. He fully concurred in the praise bestowed by the hon. Gentleman on the Commissioners; but for the reason he had stated the Government were of opinion that the time had arrived when they must cease to avail themselves of their services, however valuable.

Bill read the third time, and *passed.*

METROPOLITAN TRAMWAYS PROVISIONAL ORDERS BILL.

Order [7th March] that the Metropolitan Tramways Provisional Orders Bill be committed to a Select Committee read, and *discharged.*

Select Committee *appointed,* "to consider the schemes contained in the Metropolitan Tramways Provisional Orders Bill of this Session, and to report whether, in their opinion, it is desirable that all or any of the proposed lines of Tramways should be constructed within the Metropolitan area under the jurisdiction respectively of the Corporation of the City of London and the Metropolitan Board of Works."

Report of the Joint Committee of both Houses of Parliament of last Session, appointed to inquire into the question of Metropolitan Tramways, together with the Report of the Board of Trade upon the Railway, Canal, Tramway, &c. Bills of the present Session, with Map of the Metropolitan Tramways, referred to the said Committee.

Report of the Board of Trade, dated 5th May 1871, of their proceedings under "The Tramways Act, 1870," with regard to the proposed Tramways in and about the Metropolis, also referred to the Committee.—(*Mr. Arthur Peel.*)

And, on March 28, Committee *nominated* as follows:—Sir FRANCIS GOLDSMID, Mr. SCLATER-BOOTH, Sir JOHN ST. AUBYN, Mr. ALGERNON EGERTON, Mr. LOCKE, Mr. JOHN STEWART HARDY, and Sir WILFRID LAWSON:—Power to send for persons, papers, and records; Three to be the quorum.

WAYS AND MEANS.

CONSOLIDATED FUND (£9,317,346 19*s.* 9*d.*) BILL.

Resolutions [March 21] *reported;*

1. "That, towards making good the Supply granted to Her Majesty, for the service of the years ending the 31st day of March 1872 and 1873, the sum of £453,346 19*s.* 9*d.* be granted out of the Consolidated Fund of the United Kingdom."

2. "That, towards making good the Supply granted to Her Majesty, for the service of the year ending on the 31st day of March 1874, the sum of £8,864,000 be granted out of the Consolidated Fund of the United Kingdom."

Resolutions *agreed to:* — Bill *ordered* to be brought in by Mr. BONHAM-CARTER, Mr. BAXTER, and Mr. WILLIAM HENRY GLADSTONE.

Bill *presented,* and read the first time.

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Tuesday, 25th March, 1873.

MINUTES.]—PUBLIC BILLS—*First Reading*—Salmon Fisheries Commissioners * (47).
Second Reading—Marriages (Ireland) (40).
Committee — *Report* — Victoria Embankment (Somerset House) * (28); Epping Forest * (19).

THE EASTER RECESS.

THE DUKE OF RICHMOND said, he thought it would be convenient to many of their Lordships if his noble Friend (Earl Granville) could give the House some information as to the business for the next fortnight, and as to the day of adjourning for the Easter Recess, and the day on which their Lordships were to re-assemble.

EARL GRANVILLE: I believe that as regards the public business no inconvenience will arise if your Lordships adjourn on Friday, the 4th April, for the Easter Recess, and re-assemble on Monday, the 21st April.

MARRIAGES (IRELAND) BILL—(No. 40.)

(*The Viscount Midleton.*)

SECOND READING.

Order of the Day for the Second Reading, read.

VISCOUNT MIDLETON, in moving that the Bill be now read the second time, said, its object was to remove doubts which were entertained as to whether the provisions of 26 & 27 *Vict.*, c. 27, relating to the registration of places of public worship in Ireland and the solemnization of marriages therein, extended to the body or people calling themselves "the Catholic and Apostolic Church," but better known as Irvingites, The difficulty had arisen from the Registrar having refused to register the places of worship of this body because, on conscientious grounds, they declined to call themselves either "Protestant Christians" or "Roman Catholic Christians." Before the Protestant Episcopal Church of Ireland was disestablished, the marriages of those persons were solemnized according to the rites of that Church, and since the disestablishment four such marriages had been solemnized in that Church; but two eminent ecclesiastical lawyers considered that in the cases of those four marriages the parties could not be regarded as having been married "in accordance with the statute." The Bill therefore proposed to remove these doubts by extending the Act of the 26 & 27 *Vict.*, to members of the Catholic and Apostolic Church; and the 4th clause affirmed the validity of any marriages heretofore celebrated between members of that Church in the same manner as if they had been "Protestant Episcopalians." Clause 2 would empower the chief minister of the Church of this body to grant special licences for the marriage of persons being both members of that Church at any convenient place in Ireland. The Bill had passed through the Commons with the sanction of the Government, and therefore, he presumed, there would be no objection to it on the part of their Lordships.

Moved, "That the Bill be now read 2ª."—(*The Viscount Midleton.*)

LORD REDESDALE must say that for a very small body, however respectable, to style itself "the Catholic and Apostolic Church" was a rather strong thing. The Irish Church, though disestablished, considered itself the Catholic and Apostolic Church in Ireland, and no doubt the Roman Catholic Church in Ireland would call itself by that name; but for a small body, which for all that appeared might only consist of persons worshipping "in the Catholic and Apostolic Church, Adelaide Road, Dublin," to be so described in an Act of Parliament would scarcely be satisfactory. Again, he thought the power of granting special licences to persons being members of the said Catholic and Apostolic Church, which the 2nd clause would confer on the "minister of the said Church for the time being officiating as chief minister of the congregation of members of the said Church at present worshipping in the Adelaide Road Church," was very objectionable.

THE LORD CHANCELLOR said, he could not but think the objections just urged by the noble Lord the Chairman of Committees deserved consideration. If the Bill passed in its present form, there would be really nothing to identify this body. They were described as "the body or people known as the Catholic and Apostolic Church." That title was equally claimed by the Roman Catholics, and the Church of England—not to speak of other bodies—also claimed to be part of the Catholic and Apostolic Church, in the unity of which belief is professed by all who accept the Nicene creed. It was true that in a subsequent part of the Bill there was mention of "the congregation of members of the said Church at present worshipping in the Catholic and Apostolic Church, Adelaide Road, Dublin;" but he did not know whether that congregation was meant to be referred to as constituting the whole of the "body known as the Catholic and Apostolic Church." There was nothing in the Bill to prevent its applying to all the Christians in Ireland. He concurred with the noble Chairman of Committees in thinking that the wide power of granting special licences which the 2nd clause would confer would be objectionable; and he thought that the requirement that both parties to the marriage were members of that Church would give rise to difficulties of proof. The introduction of such Bills showed the importance of legislating on the Report of the Royal Commission on the Marriage Laws, with the view of rendering such Bills unnecessary. They led to mischievous anomalies. At the same time, it was only right that the obstacles in the way of the solemnization of marriages between members of this highly respectable body should be removed, and therefore he did not oppose the Bill; but he hoped that before it left Committee some alterations would be made in it for the better identification of this body and to remove the objection to the 2nd clause.

Lord O'HAGAN said, he had only just seen the Bill. He concurred in what had just been said by his noble and learned Friend on the Woolsack. Indeed, he thought that the power which would be conferred by the 2nd clause might lead to great malversation. This was no doubt a respectable body of persons, who ought to have the protection of the law; but he objected to their minister having the power to authorise the marriage of whomsoever he pleased, without check or identification of parties.

The Marquess of SALISBURY said, he thought it would be a great advantage if their Lordships were to appoint a Committee every Session for the purpose of revising Bills brought into the House of Commons by private Members. Their Lordships rarely knew anything of the circumstances under which they were brought in — they were usually drawn with very little care, and the Government did not exercise over them that supervision which it was necessary they should receive from some authority. Of course, in the case of Government Bills, Parliament had the security which the talent and experience of the Government draftsman afforded; but at present there was nothing to prevent the insertion in Private Bills of anomalies such as those which had been pointed out in the present Bill by his noble Friend the Chairman of Committees and his noble and learned Friend on the Woolsack.

The Duke of RICHMOND said, he had no wish to throw any obstacle in the way of the Bill to relieve the body in whose interest this measure was promoted; but, after what had been said in the course of the discussion, it was evident that the Bill contained provisions of a very anomalous character, and therefore he would advise his noble Friend who had charge of it to postpone the Committee until after Easter, and to communicate in the meantime with the noble and learned Lord on the Woolsack in order that the Bill might do just what was wanted and not a great deal more.

Motion *agreed to;* Bill read 2^a accordingly.

MERCANTILE MARINE.

ROYAL COMMISSION.—QUESTION.

The Earl of LAUDERDALE asked when a Royal Commission or a Committee is to be appointed to inquire into the state of our Merchant Shipping as regards their being seaworthy, and as regards the safety of the lives of the seamen who went to sea in them; also with regard to the present law of insurance of ships; and as to when the investigation will commence? The noble Earl said that the subject had been so fully and ably brought before Parliament and the country by Mr. Plimsoll that it would not be necessary for him to say much upon the subject—he would, however, urge upon the Government that there should be no delay in taking action on this subject. Of course with respect to what was said of private individuals or of companies in Mr. Plimsoll's book he could say nothing; but as to the broad statements it contained he believed them to be correct, for they were confirmed by his own personal experience. The reason that he urged that there should be no delay in taking action was that the loss of life at sea was occurring day by day. Within the last two months he believed there had been 300 instances of total loss of ships, and of course there had been a proportionate loss of life.

These losses were not confined to coasting vessels—a great many of the vessels wrecked, were timber ships coming from Canada. These ships had all deck-loads, and these deck-loads were the occasion, in a very great measure, of the loss of the ships. He believed that Her Majesty's Government could not directly interfere with these timber ships, because the Dominion of Canada made its own laws, and there was no law at present to prevent deck-loads. He was, however, happy to say that he heard that the Government of Canada had taken the subject up, and were about to introduce a law prohibiting deck-loads on timber-ships between September and May inclusive. Many years ago this was our own law—we did not permit deck-loads to be carried during that period of the year; but in consequence of certain alterations in the Customs laws this particular law was not now in force. The loss of these timber-ships did not merely cause dreadful suffering and loss of life to the men on board them, but as these abandoned timber-ships would not sink, everyone of them became a floating rock, and any ship at night or in a fog might run against one of these floating timber-ships and founder instantly. Only the other day one of Her Majesty's frigates the *Immortalité* was sent to look after a water-logged timber-laden ship, and to bring her to shore or sink her. She fell in with her off Scilly, but in consequence of the weather, could not get quite close to her; she then tried to sink her by firing into her, but in consequence of the buoyancy of her cargo, could not effect that either. The question was, what was the cause of the loss of so many ships? In his humble opinion, it was that they were sent to sea overloaded. If with iron or coals, these cargoes stowed in bulk were liable to shift in bad weather—and even corn would swell with the water or shift, Again, many merchant ships went to sea improperly manned. If such ships succeeded in getting out of the Channel with a fair wind and fair weather, they proceeded on their voyages; but if bad weather was met with in the Channel the crews were totally unfit to manage them—there were not sufficient hands to take the sails off the ship, and her sails were blown away, she capsized, or she went ashore. Another point was, that the merchant ships were badly found; in many cases their rigging, sails, and spars were not in a good state; and very often the ships themselves were totally unfit to go to sea. In many cases the hulls were rotten, and were not fit to stand a breeze. Last year he ventured to state that he thought that if there were no insurance there would not be half the loss of vessels, and he was now confirmed in that opinion. He did not say that insurance could be altogether done away with, but he thought that a check ought to be put upon insurance;—he thought that if no ship-owner were allowed to insure more than two-thirds of the value of the ship, so that he should always have one-third at his own risk, the consequence would be that a shipowner would take care never to send his ship to sea improperly equipped or improperly manned. Many people thought that sailors knew what ships were, and that they need not sail in any particular ship if they did not like her; but in truth they entered a ship knowing scarcely anything about her. They were bound by Act of Parliament to go to a register office, where they were entered, and they then signed articles and got an advance note. The men were generally living at a public-house, which was kept by a crimp, who got the advance tickets, and supplied them with what they wanted until it was time to go on board. If the sailor did not go on board, the crimp lost the money upon the advance note, and he therefore generally took the men on board drunk or half drunk—at a place like Gravesend. The captain knew that if he did not sail directly he might lose his men—the tug lay under his bows with her steam up, and the moment the master got the men aboard, he gave the order to go ahead:—and he never went near to a port in the Channel if he could avoid it. If they were caught in a south-west breeze the vessel began to leak, and the master was then obliged, against his will, to put into Portland, Plymouth, or Falmouth; and then the men, finding that the ship was not well found, that she leaked a good deal, and that she was shorthanded, refused to go to sea in her; the Custom-house people came on board, but they could not examine the ship properly when she was loaded; and the result often was that the crews were put into gaol, and the gaols at Dorchester, Plymouth, or Falmouth were always full of them. He was aware that a great number of lawless and lazy fellows signed to go on board ships, and tried to run away when they put into port; but generally those fellows were not regular seamen, but rogues who had made the shore too hot for them. Such men deserved to be sent to gaol, but he was convinced that many seamen were wrongly imprisoned for refusing to go to sea, the reason for their refusal being the unsound state of the vessels. Sailors were the only class of working-men not protected by Parliament. The only thing which Parliament had done for them was to compel ships to carry lime juice. Of course, when a ship carried passengers, there was legal protection for passengers; but that protection was given for the sake of the passengers, and not for that of the seamen. It was time there was a change, and he therefore begged to ask the Question of which he had given Notice—namely, when the Royal Commission or a Committee was to be appointed to inquire into the state of our Merchant Shipping as regarded their being seaworthy, and as regarded the safety of the lives of the seamen who went to sea in them; also with regard to the present law of insurance of ships; and as to when the investigation would commence.

EARL COWPER said, that, however important and interesting the subject might be, it was not necessary for him to enter into it in detail, because the whole matter was to be immediately referred to a Royal Commission. He had to inform their Lordships that the Commission was very nearly constituted—indeed, he hoped that before the week was out Mr. Fortescue would be able in the other House to announce the names of the Commissioners, and that the Commission would get to work immediately. He might add that his noble Friend the Secretary for the Colonies was in communication with the authorities of Canada with reference to the timber-ships.

THE EARL OF MALMESBURY said, that this subject was one of the gravest that had ever occupied the public mind. Her Majesty's Government must be aware of the sensation produced by Mr. Plimsoll's book. Whether the details in the book were true or were not was what he could not take on him to affirm; but this he did venture to say, that if only one-quarter of them were so, it was a record of some of the most diabolical practices ever had recourse to, even in ages of great crimes. Her Majesty's Government had granted a Commission to investigate the subject: but he would suggest to them whether there was any chance of a Report from that Commission in sufficient time for legislation in the present Session—or indeed for a very long period. The area of inquiry was wide, and probably the Report would be a very long one. If there could be no legislation on the subject this Session, Her Majesty's Government ought to take care that between the present time and that at which they could act on the Report there should be a searching inspection of merchant ships before going to sea. It was stated—but he knew that such things were exaggerated—that no fewer than 4,000 seamen were drowned every year; but if only one-fourth of that number perished from the causes described in Mr. Plimsoll's book it was the duty of the Government, without waiting for the Report of the Commission, to see that a careful inspection of ships was carried out, if for the present nothing further in the way of protection could be done by the State. The noble and gallant Earl (the Earl of Lauderdale) had said that care was taken on board ships which carried passengers. He was afraid that was not always the case. He said this in consequence of an instance which had come to his own knowledge. At the end of last year the mail packet from Liverpool to Madeira left the former port with such a deck-load, that having got as far as the Irish Channel, she being in great peril was obliged to put back to Liverpool to be lightened of her load. Of course, as she was a vessel carrying Her Majesty's mails and many passengers, she must have been more or less under the inspection of official persons. When he found, then, such an occurrence as he had referred to in the case of a mail packet, he was forced to believe, however reluctantly, that at least many of Mr. Plimsoll's statements must, unfortunately, be correct.

EARL COWPER said, the Government were anxious that there should be as little delay as possible, and therefore it was intended to separate the heads of inquiry, so that the Royal Commission might in the first instance investigate the most important subjects—those of the unseaworthiness of ships and overloading. He did not think that the inquiry on those two branches need cause very much delay, and therefore he did not see any reason why there might not be some legislation on the subject before the termination of the present Session.

The Earl of LAUDERDALE wished to observe that, though the loss of ships was increasing, the loss of life by sea was not. This was to be accounted for by the efficiency of our life-boats, which were much more numerous around our coast.

House adjourned at Six o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 25*th March*, 1873.

MARRIAGE LAW.—QUESTION.

Mr. SALT asked the Secretary of State for the Home Department, Whether, since it has often been found necessary to introduce Bills similar to a recent Act entitled the Tiverton and Cove Chapels Act, in order to give validity to marriages that may be technically irregular, he will introduce a general Bill for the improvement of the Marriage Law?

Mr. BRUCE, in reply, said, he must acknowledge the inconvenience of passing a series of Acts to correct irregularities, but he could not undertake on the part of the Government to deal during the present Session with so large and important a Question.

INDIA—BANDA AND KIRWEE PRIZE MONEY.—QUESTIONS.

Mr. T. HUGHES asked the Under Secretary of State for India, Whether further consideration on behalf of the troops entitled to the Banda and Kirwee Booty will be given by the Secretary of State to the claim which, in his Despatch No. 119, of 11th May 1871, he held to be borne out, for interest on 14½ lakhs (1,465,335 rupees) of Mogul rupees, captured by General Whitlock's force, and kept by the Government of India, from 1858 until 1862, in the State Treasury at Allahabad; why the moneys, which appear from the protest of the Prize Agents to have been excluded from their contract with the auctioneer, were forced to auction by the authorities at Calcutta at a cost of about £6,000 for auction commission; whether it is intended that the troops should be idemnified by the Indian Government for the loss; and, if not, upon what grounds; and, whether the opinion of the Law Officers of the Crown has been or will be taken as to the validity of these claims, or as to the equity of referring them, under the Act 3 and 4 Vic. c. 65, s. 22, if disputed, for judicial settlement?

Mr. GRANT DUFF: My reply, Sir, to my hon. Friend's first Question must be in the negative, the Secretary of State in Council having decided that the claim alluded to in that Question is unfounded. In reply to his second Question, I have to say that the course adopted with regard to the moneys, or rather bullion, to which he refers was adopted as being that which the Government of India thought the best for all concerned. In reply to his third Question, I have to say that the claim of the troops to the indemnification referred to was submitted by their agents to the Treasury, the competent authority in such cases, which after hearing counsel decided against them. In reply to his fourth Question, I have to say that the Secretary of State in Council sees no reason for re-opening a matter which he considers to be *res judicata*.

THE MAGISTRACY—LEAMINGTON. QUESTIONS.

Lieutenant-Colonel PARKER asked the Secretary of State for the Home Department, Whether his attention has been drawn to a statement in the "Leamington Courier" of the 15th March, that, at a meeting of the Labourers' Union in that town, a justice of the peace was instructed to communicate with the Labourers' Association in Ireland with a view of preventing their migration into this Country during the pressure of harvest work; and, if the statement is true, whether such an undertaking is consistent with the duties of a justice of the peace?

Mr. BRUCE, in reply, said, that he had seen the Report to which the Questions of the hon. and gallant Member referred. The magistrate did not appear to have been acting as a magistrate on the occasion, but unofficially; and, as he had done nothing illegal, he could not regard this action on his part as a private person as being inconsistent with his duty as a magistrate.

THE TREASURY AND THE POST OFFICE—ALLEGED MISAPPROPRIATION OF FUNDS.—QUESTION.

Mr. FAWCETT asked the First Lord of the Treasury, Whether, considering that the Treasury and other Government Departments may be implicated in the misappropriation of the Savings Bank Deposits and Postal Revenues to the Telegraph Capital Account, he will consider the desirability, in order to secure a full and impartial investigation, of intrusting the promised inquiry not to the Treasury as is suggested, but either to the Committee of Public Accounts, or to a Committee nominated by the Committee of Selection?

Mr. GLADSTONE: Sir, the Question of my hon. Friend seems to have been dictated by an entire misapprehension of the stage at which we have arrived in this important matter. It would certainly be a very bad compliment to the Committee on Public Accounts, who appear to have treated the subject with much care and consideration, to fly in the face of the recommendation they have made by refusing to commit the matter to the investigation of the Treasury. At the same time, I do not think I am in saying this running counter to the view of the hon. Member. The Committee on Public Accounts, having very properly considered that the Treasury is officially superior to the Post Office, have concluded that it is the business of the Treasury to inquire into this matter. But it does not follow that the inquiry by the Treasury is the final step. When the inquiry at the Treasury has been completed—and I am sure my right hon. Friend will press it forward with all dispatch—it will be for the House to determine what further steps should be taken in the matter.

THE CIVIL SERVICE—EXAMINATIONS. QUESTION.

Mr. O'REILLY asked the Secretary to the Treasury, If the Treasury claims a right to make direct appointments in the Civil Service to Officers included in Schedule A of the Order in Council of 4th June 1870, without the persons so appointed having complied with the conditions as to examination prescribed in Article 5 of the Order in Council, or obtained from the Civil Service Commissioners the certificate of qualification required by Article 7 in all cases in which the conditions of Article 5 may be dispensed with.

The CHANCELLOR of the EXCHEQUER, in reply, said, the conditions under which appointments were filled depended upon whether the appointment to the office was vested in some public Department by an Act of Parliament or not. No Order in Council could alter or repeal, or in any way vary an Act of Parliament, and any Department having the right to appoint to an office under an Act of Parliament might make such appointment without conforming to the regulations of the Order in Council referred to.

MERCANTILE MARINE—UNSEAWORTHY SHIPS.—QUESTIONS.

Mr. KAVANAGH asked the President of the Board of Trade, Whether any inquiry has been held, or, if not, whether it is the intention of the Board of Trade to hold an inquiry, as to the alleged truth of the circumstances attending the loss of the schooner "Charles" of Wexford, with all hands, in the month of January last, when, according to the report in the public journals, it appeared that while lying in a disabled and sinking condition, from injuries supposed to have been received by striking on the Arklow Bank, she was approached by the steamer "Countess" on her voyage from London to Dublin, which vessel remained by her for about three hours, but ultimately steamed away upon her course without rendering any assistance, leaving the crew of the ill-fated schooner, who were at that time clinging to the rigging, to perish; and, if such inquiry has been held, whether the above statement is in accordance with facts?

Mr. CHICHESTER FORTESCUE in reply, said, that an inquiry had been ordered by the Board of Trade into this case. He might say that the Solicitors of the Board of Trade thought it very doubtful whether there was sufficient ground to justify an inquiry; but he thought it better to be on the safe side, and allow the inquiry to proceed.

Mr. R. W. DUFF asked the President of the Board of Trade, If he will cause an immediate investigation into the seaworthy condition of the brig "Maggie," now lying in the Frith of Forth, four of the crew of which have been sentenced to a month's imprisonment in Edinburgh Gaol for refusing to proceed to sea, alleging the vessel would not steer, was overloaded, undermanned, and leaky?

Mr. CHICHESTER FORTESCUE, in reply, said, the Board of Trade had at present no power of its own accord to survey ships under the circumstances occupied by the *Maggie.* It appeared that the seamen referred to had been sent to gaol for refusing to proceed on their voyage, and the Board of Trade were in communication with the Home Office on the subject. These seamen need not have been sent to gaol if a survey of the ship had been made by the order of a magistrate and she had been found to be unseaworthy. With respect to any further proceedings on the part of the Board of Trade, if the hon. Member would make a complaint in writing, giving the information required by the Act, the Board would then be in a position to say whether the ship should be surveyed. If a *primâ facie* case could be made out against the owners steps could then be taken in the matter.

Mr. HAMBRO asked the President of the Board of Trade, Whether the result of a survey made at Falmouth of the ship "Sir Robert MacDonnell" by the Surveyor to the Board of Trade has not been to prove that the ship is unseaworthy; and, Whether he intends to proceed against the owners of the "Ceres" under Section 11 of the Merchant Shipping Act, 1871, which, by the Report of the inquiry held at Glasgow in February last, appears to have been unseaworthy when sent to sea?

Mr. CHICHESTER FORTESCUE in reply, said, that the Board of Trade had made a preliminary survey of the ship *Sir Robert MacDonnell,* and the result showed she was in a leaky state. The Surveyors could not pronounce her to be seaworthy. In this case there was no resistance on the part of the owners to the power of detaining and examining the vessel as given by the recent Act. They were about to have the cargo taken out, in order that a proper examination might take place. With respect to the *Ceres,* he saw by the report of a Scotch paper which had been handed to him that a survey ordered by the Sheriff showed as far as it went that the men in this case had no good reason for refusing to proceed upon their voyage. But he had ordered the evidence to be referred to the professional and legal advisers of the Board of Trade with a view to see whether it was a case in which further proceedings ought to be taken.

Mr. HAMBRO asked the Secretary of State for the Home Department, Whether he will take into consideration the case of certain seamen who are confined in Usk Gaol, undergoing a sentence of six weeks' hard labour for refusing to go to sea in the ship "Sir Robert MacDonnell," which left Newport last month for Monte Video, and which afterwards put into Falmouth, where she has since been surveyed by the Surveyor to the Board of Trade and pronounced unseaworthy?

Mr. BRUCE in reply, said, that on reading the hon. Gentleman's Question he telegraphed at once to the magistrates at Newport to obtain the information on which they committed the men to prison. Upon receiving their answer he would act with due regard to the circumstances of the case, and the Report of the Board of Trade.

Afterwards—

Mr. LIDDELL asked the President of the Board of Trade, Whether, in the event of the facts adduced bringing home, in the opinion of the Board of Trade, culpability in sending a ship to sea, they have the legal power to enforce an ulterior charge against the owners?

Mr. CHICHESTER FORTESCUE, said, in reply, he believed that under the recent Act the Board of Trade would have power of proceeding against the owners for misdemeanour for having sent a ship to sea in an unseaworthy state.

PUBLIC PROSECUTORS BILL.

QUESTION.

Mr. EYKYN asked the Secretary of State for the Home Department, If it is intended to bring forward the Public Prosecutors Bill this Session?

MR. BRUCE, in reply, said, that his hon. Friend was aware that he had, on the part of the Government, undertaken last year to introduce a Bill, and he had not abandoned that intention. In consequence, however, of hearing that the Judicature Commission were about to take the question into consideration, he postponed the introduction of the Bill until he should have the benefit of the recommendations of the Commission. He had now had an opportunity of learning the opinions of the Commissioner, and the Bill which he hoped soon to introduce had been framed after consideration of those opinions, and in general conformity with them.

MUNICIPAL CORPORATIONS (BOROUGH FUNDS) ACT.—QUESTION.

MR. RATHBONE asked the Secretary of State for the Home Department, Whether he will bring in a Bill, during the present Session, to amend the Municipal Corporations (Borough Funds) Act?

MR. BRUCE, in reply, said, the subject had been carefully examined, both by his Department and by that of his right hon. Friend the President of the Local Government Board; but he was not as yet prepared to say what Amendments should be made in the Act of last Session. He did consider, however, that some Amendments might be properly introduced.

MERCANTILE MARINE—LOSS OF THE "SEA QUEEN."

ORDER.—RULES OF DEBATE.—QUESTION.

MR. MELLY asked the President of the Board of Trade, Whether his attention has been called to a speech by the honourable Member for Derby, in which he is reported to have made the following statement:—

> "As to the animus of the Board of Trade, the Honourable Gentleman cited the case of an inquiry ordered by the House of Commons into the loss of the "Sea Queen," with twenty lives, in which the damning evidence of the Custom House officers and the lumpers as to the unseaworthy state of the ship had, he said, been deliberately suppressed, and a surveyor's report printed in the Blue Book, trying to exculpate the owners from their responsibility, they having, he declared, pocketed £25,000, as the profit of sinking, the owner, too, having superintended the loading;"

and, whether such statement is correct?

MR. HORSMAN: Before this Question is answered, I wish, Sir, to call your attention to it on a point of Order as being both inconvenient and objectionable. If a Member of this House makes a public statement, and then a Minister be asked whether that statement be or be not true, of course, if the Minister replies that it is not true, the hon. Member in his place may re-affirm that it is true, and may enter into details to prove that it is true. It is evident that must give rise to discussion, and therefore I put it to you, Sir, whether the Question is one that ought to be answered by the President of the Board of Trade?

MR. SPEAKER: The hon. Member for Stoke-on-Trent (Mr. Melly) has called the attention of the President of the Board of Trade to a statement made by the hon. Member for Derby (Mr. Plimsoll) out of this House; and I am asked by the right hon. Member (Mr. Horsman), whether there is anything irregular in putting a Question on that point. I am bound to say that I see nothing irregular in the Question of the hon. Member; but that Question is followed up by these words, "and whether such statement is correct." If the hon. Member for Stoke-on-Trent questions a statement made by a Member of this House, such a proceeding is irregular; but I do not understand that the hon. Member questions the statement made by the hon. Member for Derby. He only inquires of the President of the Board of Trade, whether the conduct of the officers of the Board of Trade was such as is stated by the hon. Member for Derby?

MR. MELLY: I assure you, Sir, that nothing is further from my intention than to imply, even in the most indirect manner, any doubt of the statement made by my hon. Friend the Member for Derby. But a statement having been made which appears capable of explanation, I thought it best for all purposes that that explanation should be given at the earliest possible moment.

MR. PLIMSOLL: May I beg to say a word or two? ["Order!"]

MR. CHICHESTER FORTESCUE: Sir, I quite understand the Question of my hon. Friend (Mr. Melly) as one not involving the veracity of the hon. Member for Derby (Mr. Plimsoll), but dictated by a desire to know whether I could throw any light on the facts of this case. I wish to give an answer with all the fulness I can, and the more so as it is a matter in which I am not personally concerned, it having happened a year before I became connected with the Board of Trade. The very extraordinary statements in the speech of the hon. Member for Derby the other night certainly require to be answered and contradicted. The information I have to give the House is this — First of all, the inquiry into the case of the *Sea Queen* was not ordered by the House of Commons—these inquiries are never ordered by the House of Commons—but was undertaken by the Board of Trade. The evidence of the Revenue officers was not suppressed, as the statement of the hon. Member for Derby implies. The facts are these:—An hon. Member of this House (Mr. Alderman W. Lawrence) gave Notice of a Question on the subject of this vessel on the 29th of March, 1870. He furnished the Board of Trade with certain letters, which alleged that the *Sea Queen*, which had gone down at sea, I think, without any survivors, had been dangerously overloaded at starting. On the same day—the 5th of April—the owners of the vessel sent to the Board of Trade the bill of lading and other documents; and upon the same day I find that these papers so volunteered were sent by the Board of Trade to the Collector of Customs at Newcastle, with instructions to inquire and report. On the 8th of April the Board of Trade received a reply from the Collector of Customs confirming with his opinion the allegation that the vessel was overloaded, and enclosing a statement from Mr. Bell, Examining Officer of Customs, to the effect that she was so overloaded. On the same day an inquiry was ordered by the Board of Trade. That inquiry was held at Newcastle, and lasted from the 28th of April till the 5th of May. The first witness examined was Mr. Bell, the Examining Officer, who made the statement I have referred to. The second witness was Mr. Lawson, the Chief Clerk of Customs at Newcastle, who had cleared the ship. The third witness was Mr. Sansom, senior Examining Officer and Acting Surveyor of Customs. Two other out-door officers of Customs, Mr. Newton and Mr. Kirkpatrick, were examined on the 30th of April. These officers were all sworn and cross-examined, and their evidence was given at length in the report of the inquiry presented to Parliament (Parliamentary Paper, No. 290, 1870). The statement originally given by Mr. Bell to the Collector at Newcastle was stated in the evidence to have been put in at the inquiry. This paper, however, with other papers stated to have been put in, appears never to have been sent to the Board of Trade, by whom the Report and evidence were sent to the printers precisely as they were received from the inquiry. I am not sure whether that point was in the mind of the hon. Member for Derby or not; but it is immaterial, since the preliminary Report to the Board of Trade was not made the subject of cross-examination as it was not on oath; whilst Mr. Bell, the author of the Report, was subsequently examined and cross-examined on oath, and his evidence is contained in the Papers moved for — namely, the Report and Evidence of the Court of Inquiry, which consisted of two magistrates and two professional assessors—one a Mercantile Marine captain, and the other a commander of the Royal Navy. It is not a fact that the evidence of the lumpers, as they are called, who discharged the cargo of the vessel was suppressed by order of the Board of Trade. It is not a fact that a surveyor's report was printed in the Blue Book trying to exculpate the owners from their responsibility. The facts are as follows:—The summoning of witnesses in these cases is left to the discretion of the solicitor who conducts the cases. His instructions are to summon all material and necessary witnesses, and he does so. In the present case he, no doubt, thought that the lumpers could add nothing to the mass of evidence already given. There was, in fact, a large mass of evidence given on the subject of overloading. I have to-day, for my own satisfaction, telegraphed to the Solicitor of Customs who conducted the inquiry, and asked him a question on the subject; and this is his reply—

> "I conducted the inquiry '*in re Sea Queen*,' and I adduced all the evidence that was available and material. It is wholly incorrect to say that I received any instructions from the Board of Trade to suppress any evidence."

I am sure it is not necessary for me to assure the House of Commons that the gentlemen who are the superior permanent officials of the Board of Trade would have been utterly incapable of such an act as the suppression of evidence before a court of inquiry, or the suppression of it in this Paper, which was moved for and presented to the House of Commons. The hon. Member appears to fancy that a document was appended to that Parliamentary Paper for the express purpose of exculpating the owners, who, he implies, were in some collusion with the Board of Trade officials for that purpose. What happened is this:—The Report of that Court did not appear to the Board of Trade to be satisfactory. It was a vague and almost a self-contradictory Report. They reported against the practice of overloading, whilst, at the same time, they reported that "the *Sea Queen* was not overladen to such an extent as to render her dangerous." Under these circumstances, the Board of Trade of that day wished to clear up the matter, and they desired to have the best professional opinion they could obtain as to the practical and technical question whether a vessel, constructed and laden like the *Sea Queen*, could be considered safe and seaworthy or not. For that purpose they referred the case and all the evidence to their Chief Surveyor, Mr. Galloway. The Report he gave is here, and was added to the Parliamentary Paper. That Report does not tend, in the slightest degree, to exculpate the owners; it merely shifts the nature of the fault committed by the owners, because it says that, in the opinion of Mr. Galloway, it was not a question of freeboard—of that he thought the vessel had sufficient—but a question of strength; and he considered her strength was not sufficient to enable her to carry a large cargo of dead weight in safety. That Report was not so favourable to the owners as the Report of the Commission of Inquiry; and there is not a shadow of excuse for saying that the Report was added for the purpose of exculpating the owners. It was done in the interests of truth, and for the purpose of assisting the Board of Trade to come to some satisfactory conclusion as to the cause of the loss. The Board of Trade thought it necessary to add the Report to the Papers before Parliament; but how the addition of that Report can have diminished the value of those Papers, or shown any bad animus on the part of the Board of Trade, I cannot comprehend.

ARMY—THE MILITIA.—QUESTION.

Mr. WINGFIELD BAKER asked the Secretary of State for War, Whether he has made or contemplates making any arrangements for calling out the Militia this year so as least to interfere with the interests of agricultural labourers and their employers, according to the different times that suit different parts of the country?

Mr. CARDWELL: I am, Sir, always desirous to consider as much as possible the convenience both of the agricultural labourer and his employer. The state of the case is this:—The commanding officer suggests the time for calling out the regiment, and the general officer commanding in the district is instructed to enter into communication with him on the subject.

TRANSIT OF VENUS.—QUESTION.

Sir JOHN LUBBOCK asked Mr. Chancellor of the Exchequer, If he would state to the House what stations have been selected by the Astronomer Royal for the proposed observations of the transit of Venus in 1874; whether it is proposed to adopt Halley's method; and, whether we are acting by ourselves in the matter, or in concert with Russia?

Mr. GOSCHEN: Sir, if the hon. Baronet will allow me I will answer the Question, as the matter is in the hands of the Admiralty. The stations selected by the Astronomer Royal are Alexandria, Honolulu, Rodriguez, Christchurch (New Zealand), and Kerguelen's Island. At Rodriguez, Christchurch, and Kerguelen's Island the entire transit will be visible, and therefore the method of utilizing the observations by comparing the duration of transit at a southern station with the duration as observed in the French, German, and Russian stations on or near the Japanese and Chinese Seas (Halley's method) can be used for those three British stations; and Kerguelen's Island in particular is very favourably situated for this method. But it is not probable that this method will be used, or at least that any importance will be attached to it. It is an essential part of the Astronomer Royal's plan—in which he is expressly followed by the French and Russians, and, it is believed, by the Germans also—that the longitude of every station should be accurately determined, and, when this is done, the method of comparison of the absolute Greenwich times at the different stations (De Lisle's method) is greatly superior to the method of comparison of durations at different stations (Halley's method). We are acting in perfect concert with Russia. Frequent correspondence on the whole subject has been maintained between the Astronomer Royal and the Director of the Russian Central Observatory of Pulkowa.

JURIES (IRELAND).—PRECEDENCE OF MOTIONS.—QUESTION.

MR. BRUEN wished to ask a Question which had reference to Business on the Paper for Friday next. He had given Notice of his intention to bring forward a subject of much importance affecting the lives and property of Her Majesty's subjects in Ireland, but his Notice stood so low down on the Paper that it was very doubtful whether it would in the ordinary course be reached. He had, therefore, to ask whether the hon. Member for Westminster, the noble Lord the Member for King's Lynn, and the hon. Baronet the Member for West Essex, who had precedence, would kindly give way to enable him to bring forward his Motion.

MR. W. H. SMITH said, though anxious to proceed with his Notice, he would readily yield precedence to the hon. Member for Carlow, in consideration of the importance of his Motion as affecting the safety of the lives and property of the whole inhabitants of Ireland, which appeared to be practically in abeyance.

Lord CLAUD JOHN HAMILTON and Sir HENRY SELWIN-IBBETSON said, they would postpone their Notices.

CURRENCY—THE BANK ACT.

RESOLUTION.

MR. ANDERSON rose to call the attention of the House to the currency system of the country, and to move a Resolution. The hon. Gentleman said: Sir, I have had considerable hesitation in carrying out my intention of bringing the subject before the House so immediately after the Ministerial crisis which we have just come through; but, in the fear that if I drew back now there might not be found any other time and occasion more convenient, I concluded to proceed. I know that the subject is one which, from its abstruse character, does not interest a great many Members of the House. I know that it is a subject which most men shun as a dangerous one—so beset with shoals and quicksands, in which many have lost themselves, that few now care to adventure upon it in any form, and still fewer will attempt it, whose views are in favour of a radical change in a system under which the wealthy classes become more wealthy, even while the poorer become more poor. It is one of the most important questions which any hon. Member of this House can undertake to deal with. It undoubtedly affects the national weal and woe far more than any question of party politics, and perhaps more than any other question that has been before the country since the Free Trade settlement of 1846. That Free Trade settlement of 1846 has even increased the importance of the currency question, for the general stimulus then given to the commerce of the country greatly intensified all the money difficulties we have experienced since, and especially those three great crises in which our currency system was strained to the breaking point and gave way, showing the utter unsoundness of those theories on which it was based. Those theories are, as I understand them, that the precious metals are the only safe basis of currency; that if any paper currency at all is permissible it should be strictly the representative of gold, and instantly convertible into gold at the pleasure of the holder; that such a currency will be plentiful or scarce according to the plenty or scarcity of gold in the country; that it ought to be so, and that whatever disaster and ruin accompany a sudden contraction of the currency through an efflux of gold is a perfectly legitimate result, and a less evil than it would be to adopt any other basis of a less fluctuating character. This, of course, is the pure bullionist theory, but its advocates were always unable to carry it out in its integrity, and we have, therefore, been left with a hybrid currency consisting partly of coin, partly of a miscellaneous collection of notes, having very many degrees of convertibility, but for the most part bearing the character, only through the forbearance of the public, which, so far, has not demanded instant convertibility. The Bank of England has a right to issue £15,000,000 sterling on gold and other securities lodged in the issue department, and this issue, although a legal tender, does not require by law to have a single sovereign or an ounce of gold to back its convertibility. The English country banks have an authorised issue of £7,250,000 against which they are not required to hold any gold. The Scotch banks have an issue of £2,750,000 equally without obligation to hold gold; and the Irish banks have an issue of £6,500,000 equally free from that obligation. These together make £31,500,000 of note issue authorised by law without any stipulations for gold backing it, and therefore, if put to a severe test, certainly inconvertible. A great part of our trouble arises from our struggle in difficult times to keep up those inconvertible notes with a semblance of convertibility. But our other note issues, so far as gold-backing is concerned, are not entirely secured either. The Bank of England issue above £15,000,000 is against gold deposited in the issue department, and although I have heard a doubt expressed whether, in the event of the Bank's insolvency, that gold could be kept exclusively to redeem those notes, I believe it certainly can. The English country banks are allowed no over-issue; but the Scotch and Irish are entirely unlimited as to the extent of their over-issue, provided they have in their safes a sovereign against every pound note of over-issue. But this, though a check, does not amount to a safeguard, for there is no provision whatever for keeping those sovereigns to guarantee those notes; and if a bank become insolvent, undoubtedly the sovereigns would fall in as general assets, and the notes would have to rank like any other debt. Thus, it is evident that the whole of the English country bank notes, and Scotch and Irish bank notes—amounting at present to about £18,000,000—depend solely on the solvency of the issuers; and here, Sir, I wish to guard myself against being thought to cast any doubt upon any one of our banks of issue. I believe they are all highly respectable, solvent, and well-managed institutions, but they are only trading corporations; and I maintain that, however sound they may be, their solvency is not a proper basis on which to rest the currency of a great nation. Another great objection to the Act of 1844—and when I speak of the Act of 1844, I include the Acts of 1845, which were merely supplementary to the main Act—is that these Acts have created everywhere but in London a complete monopoly in banking. The profit on the right of issue has had the effect of doing this. For instance, notwithstanding the vast increase in all other commerce, we have now in Scotland fewer banks than we had in 1844. We have lost some, and not a single new one has been established. That monopoly has many evils. For instance, in 1844 we had banks to the extent of £12,000,000 of capital, holding deposits of £30,000,000; whereas now the capital has gone down, I think to £9,000,000, while the deposits have gone up to £75,000,000. I do not think it forms any part of the duty of the State to interfere with the mere trade of banking, or to legislate for the protection of depositors as they do in America; but it is certainly the duty of the State not to legislate in the opposite direction, by creating a monopoly, which forces all the savings of the country to accumulate in fewer hands, for in the event of any great shock to public credit the result would be more disastrous than if the risk were more distributed. I wish to leave the trade of banking perfectly free, and without legislative interference—and in order to do that it is necessary to detach from it entirely the right of creating currency, for the State can never be justified in leaving that unrestricted. But there is a third objection, though perhaps a minor one, to the system I have described—namely, that whatever the amount of issue the nation may think it expedient to sanction without gold backing, it brings in an annual profit to the issuer, and it seems to me a most absurd anomaly that such profit should be handed over to trading corporations, instead of the nation itself having the profit of the national issue. The nation, with very mistaken generosity, keeps in its own hands the metallic currency, on the most part of which there is a heavy loss, while it hands to others the paper currency on which there is a large profit. It seems to me high time this injustice were put an end to, and I commend the subject to the consideration of the Chancellor of the Exchequer as a means of adding materially to his resources. I will now turn to the subject of gold. The Act of 1844 requires the Bank of England to receive whatever quantity of gold is brought to it, and to issue notes against that gold to the extent of £3 17*s.* 9*d.* per ounce. This is the most fatally bad of all the fallacies of the Bank Acts. It frequently fails to perform the function for which it was intended, while in the attempt to make it do so we have constantly recurring seasons of most aggravated commercial disaster. When the withdrawal of gold really does cause the curtailment of the paper issue—that is, whenever it succeeds in doing the thing which it was intended always to do—the result is ruinous to the trade of the country. Everyone rushes to secure a reserve, and the whole currency is at once locked up. What is really needed, then, is that, when gold is withdrawn from the circulation of the country, there should be something to take the place of the gold to carry on the domestic trade of the country, and for want of that we have rapid fluctuations in the discount rate, sometimes intensifying into absolute panic. The existence of the national gold store, with its weekly returns, does appear to me a machinery specially adapted to facilitate the operations of gold speculators at the public cost. Its supporters say that it does not even fix the price of gold. They say that the notes given for it are mere store vouchers, and that there is neither loss nor gain by them. Now it is quite true that there is neither loss nor gain to the bank, but the effect to the country is very different. These so-called store vouchers state their money value, which no other store vouchers do. You deposit iron, or wheat, or any other merchandise, and get a voucher for it, but the money value is not stated. It purports to be for so many tons of iron, or so many quarters of wheat, and it ought equally to be for so many ounces of gold. By naming the sterling value you fix the price, and the consequence of that is that either a glut or a famine is of longer continuance than it ought to be, for it must depend not on markets acting and reacting on each other, as all free and healthy markets do, but only on the action of the foreign markets. If the price were free, as soon as an efflux began, our price would begin to rise and so check it; whereas under our fixed price the efflux will go on till the foreign maket falls, and all we can do is to raise the hire, which is a much slower remedy than raising the price. In the same way when an influx begins it would at once begin to check itself in a free market by the price drooping, but with us it must go on till foreign prices rise or till our slow process of lowering the hire sends it away. It is in that way that our fixed prices cause such great fluctuations in the discount rate. If the Bank Act has nothing to do with the fluctuations in the discount rate, I would like its supporters to explain why those fluctuations have been so frequent and extreme since that Act was passed—why the contrast is so marked between the years previous to 1844 and the years subsequent to that date. I can only go back to 1833, because previous to that year the Usury Laws had some effect in steadying the rate, at least they prevented it rising above 5 per cent; but from 1833 to 1844 there were only five changes, giving on an average only one change every two years. But since 1844 we have only had one year—1851— without a change, and we have had as many as 15 changes in one year, and we have had as many as five changes in one month. In the one month of August, 1870, we had as many changes as in the 11 years previous to 1844. Besides all the changes in those 11 years previous to 1844 ran between 4 per cent and 6 per cent. I might almost say between 4 per cent and 5 per cent, for there were only a few months of 6 per cent in 1839; but since 1844 our fluctuations have run between 2 per cent and 10 per cent. Last July we had a minimum of 3 per cent, while by November it had run up to 7 per cent, making the value of loanable capital more than double itself in four months; but in July, 1865, the minimum was 3 per cent; in July, 1866, it was 10 per cent; and in July, 1867, it was 2 per cent. Thus we had money at one date no less than five times the value it bore at another date, only one year distant. If those frequent and extreme fluctuations which have followed the Act of 1844 are not at all attributable to that Act, I should like to know what they are attributable to. If the answer is that they are owing to free trade, then the inference seems inevitable that a fettered and cramped currency is a bad accompaniment to Free Trade, and that when we freed our trade we should have placed our currency on a broader basis; whereas by the Act of 1844 we had just bound it in double fetters. All the changes and fluctuations are made to check the efflux of gold, or to bring it back if it has gone. But, as I have before said, merely to raise the hire is a far more slow and uncertain process than to raise the price. If France wanted gold from us she would raise the price above our fixed price, and at once get it; but our plan of raising the hire entirely failed in the panic of 1866 to bring us gold from France. During our three months of 10 per cent discount rate, the Bank of France kept their rate at 3½ and 4 per cent, yet their gold increased till they had actually over £28,000,000 sterling, while we with our prolonged 10 per cent rate, could not get above £12,000,000. The contrast with France is indeed remarkable. France issues no less than £112,000,000 sterling of credit notes, keeps up her bullion, keeps down her discount rate, and escapes panic; while we, with our small issues tied to the gold basis, fail in all. We have set up gold for our idol—we worship it with a senseless superstition. If a few millions of gold go out from the Bank we straightway plunge into insane panic, depreciate all our property, except gold—probably a hundred times the amount of the gold that has gone out; raise our hire for money four or five times what it was before; and at last, when our commerce is in collapse, when one half of our merchants are ruined and the other half on the brink of it, we give the Bank leave to issue a few more credit notes, as the only refuge from universal bankruptcy. Greater folly, greater insanity, greater crime could hardly be. More poverty, more misery, more broken hearts and more desolated homes, are due to this one cause than to all others put together. And the remedy, after all, is so easy—an extra issue of credit notes—that in every one of our great money panics has proved an immediate success—namely, in 1797, 1825, 1847, 1857, and 1866—at all times the remedy is the same; and yet we will not learn that what acts as an immediate remedy might, if applied a little earlier, have proved a preventive, and might even be the basis of a sounder system. Under our Free Trade system, the business of the country has increased to such an enormous extent that gold has become too narrow a basis for the conduct of that business. There is no doubt at all but for the extraordinary discoveries of gold in California and Australia, our currency would have broken down long ago, and we would have been obliged to turn to something else. Currency reformers, in fact, say there is no good ground for so narrow a basis as gold. They say that gold is only one form of stored-up labour, and that there is no reason why that one form alone should have representation. I admit that gold is necessary for our foreign import trade, but I do not see that it is so for our domestic trade. It may be said—"It is all very well to point out the defects of the present system, but what remedy do you propose in its place?" Now, I confess that when we come to consider how a remedy is to be contrived, we find wide differences of opinion among currency reformers. Everyone has a pet scheme of his own; and I admit that I myself am no exception to the rule. But, at the same time, I consider the present system is so radically bad that I would be inclined almost to welcome any change. I think many of the schemes for a more extended currency, based on Consols, are very feasible indeed; but I would prefer for myself something better. I should like to see something resembling the American system, without its defects, established in this country. I think that the United States national system of State notes, though not a perfect system, is a very bold step in the right direction, and is, perhaps, the best symbolic currency that the world has ever yet seen. Under such a system, notwithstanding her miserably cramped trade and her devastated fleets, America has succeeded in developing her resources wonderfully, and in paying off a very large part of her National Debt. America uses no gold whatever for her internal trade. She reserves it all for her foreign trade. Now, we have always been told that under such a condition of things all the gold would vanish from the country, and it would be impossible for our merchants to get gold to carry on their foreign trade. But that, let me say, is not the experience in America. They have there a class of traders called gold brokers, whose business it is to keep gold and deal in gold. When a foreign trader wants gold he simply goes to the broker and pays the market price for it. We, on the other hand, go upon a different principle. We give foreign traders access to our national gold store, and allow them to get it with too great facility, and without paying a proper price for it. Now, if we abolished our present gold store, and had recourse to a better system of currency, our foreign traders would also have to go to the brokers for gold. That is a thing which I think we ought to make them do. Something even better, however, might be done. My proposal is a National Bank with a right of issue somewhat resembling the issue department of the Bank of England, but free from all trade influences, free from Government control, and accountable only to Parliament. The only function of the National Bank should be to receive Government securities, and thereupon to open a credit account for notes to the extent of 80 per cent of these deposits. The banker would be entitled to draw the full amount of his dividend on these Consols; but, on the other hand, he would be charged an interest at the rate of 2 per cent on the daily balance of his note account—the dividends and interest to be both payable in gold, and the notes to be issued as low as one pound notes, and even lower. The issue in America goes down as low as one dollar, and there is, besides, a State issue as low down as 10 cents, to the vast convenience of the public. In England we practically adopt a similar currency, for at our clubs we generally get postage stamps instead of copper. I think the Chancellor of the Exchequer might adopt the hint and turn it to some account. The advantages I would expect from such a system are—it would be free from the objections now urged against the Bank of England management. It would also be free from all Government control, and no Government would be able to turn the system to an improper purpose. Moreover, the extent of issue would depend entirely upon the ability of bankers to deposit Consols, and the willingness of the public to pay a per-centage on the use of the issue. The only thing new in this scheme is the charge of daily interest on the balance of the note account. That would prevent bankers from taking out more notes than was necessary for the use of their trade. It would, in fact, be a self-regulating issue which would not depreciate, because no banker would take out notes to lie idle, or to pay them away for a lower rate than that at which he had procured them. Now, this is no mere theory. A charge of daily interest is a mere importation from the Scotch system of banking. Under the Scotch system of banking every trader in the country receives interest on the daily balance of his trading account. The consequence is that every trader is pecuniarily interested in keeping out as little currency as possible. He pays to his bank account every pound of his daily collections in order to get interest upon it; and in the same way the same causes acting upon the larger amounts with which the bankers have to deal would produce the same result. The economy of circulation in Scotland is proved by the facts that the population of England is not seven times as large as that of Scotland, nor are the taxes of England seven times as large as those of Scotland, yet England absorbs upwards of 15 times the currency that Scotland requires for her transactions. I think that charging the banker 2 per cent for the benefit of the country would still leave him a fair profit on the issue, and would give the revenue a large return. And this is nothing new—it is merely the expansion of a system that now exists; for at present the Bank of England has by Act of Parliament the power to take possession of two-thirds of any lapsed issue of any English country banker, on condition of depositing Government securities and paying 2 per cent. Moreover, the revenue receives a further sum from the profits of note issue. It receives as commutation of the stamps on bank notes £139,500 a-year, and it receives from the profits of issue from the Bank of England £138,500. £60,000—the composition from the Bank of England—is included in the £138,000 of profit received from the Bank of England, but the composition of the country bank notes is £139,500. Hon. Members who are incredulous as to this statement will find the one under the head of "stamps," and the other under the head of "miscellaneous," and the two together amount to £278,000. The public faith in such a note issue as I have sketched would certainly depend more upon its ultimate than upon its instant convertibility, but that ultimate convertibility would be more secure. Even our present note issue depends more upon ultimate convertibility than instant convertibility, because there are £31,500,000 that could not be instantly converted. Such a system would not give cheap money, but I have never advocated cheap money. I can see a good deal of evil in money being very cheap. What I want to see is steady money, and I think the plan I suggest would give steady money. I do not agree in the generally-expressed opinion that the bankers are very greatly interested in keeping up the present system. I do not think the bankers really benefit very much from it, for I find the average rate of discount is actually lower than it used to be. I find that the average discount rate for the years which have elapsed since 1844 has only been 4¼ per cent, while previous to 1844 it ran from 4 to 5 per cent pretty steadily. Therefore I do not think that the bankers derive such a benefit and have such a vested interest in the panics as is sometimes alleged against them, and I believe that they stand in their own light in supporting the present system. But, while I have in a manner sketched a proposal, I do not in the least wish to commit the House or any of my supporters, if I have any, to any form of remedy whatever. All I wish to commit the House to is the existence of certain very great evils, and to the need of inquiry. I am quite aware that the inquiry is not altogether new, and that the ground has been gone over to a considerable extent before. I know that a Committee of this House sat in 1848, and that in the same year there was a Committee of the House of Lords, but they came to absolutely opposite conclusions. There was also a Committee in 1857-8, which, after hearing a great deal of evidence, came, in my opinion, to a very inconclusive report indeed. They reported that the crisis of 1857 was due to excessive speculation and abuse of credit—but they failed to say what the excessive speculation was due to. They stopped too soon or did not go to the bottom of the subject. I think that the wild speculation was due to a systematic oscillation in the value of money, which destroyed all legitimate business. No merchant makes his calculation upon a very small rate of profits now, because he never knows whether a rapid change in the discount rate may not sweep them all away, and turn them into absolute loss. The merchants, therefore, are obliged to look to ventures in which there is a large profit, and large profit, of course, means large risk. In this way the character of our business and of our business men is becoming changed and deteriorated, and this is very greatly owing to the Bank Act and its influence. The Committee of the House of Lords in 1848 reported that the recent panic—the panic of 1847—was materially aggravated by the Bank Act. Therefore, the House of Lords and the House of Commons are entirely at issue upon the question, and for that reason I have asked for a Royal Commission instead of a Committee of this House. But since the last Committee reported, we have had another panic—the panic of 1866—which has not been inquired into at all, although it had some peculiar features of its own, such as the relative position of the Bank of France and of the Bank of England at that time. Then again the French have completed an important inquiry since that date; and they have come to a very different conclusion from the Committee of the House of Commons. Their conclusion was not that it was expedient to adopt our system. They have left their Bank perfectly free, and the course they have pursued is, I think, a question into which a Commission might very well inquire. Then, again, the United States national currency has been established since our inquiry. It has been in existence now for seven years, and is well worthy, I think, of being studied by a Royal Commission, and of being reported upon. For these reasons, I ask the Government to give me a Royal Commission in place of a Select Committee. The hon. Member for Maidstone (Sir John Lubbock) asks for a Committee. I am glad to see that the hon. Member for Maidstone agrees with me in considering that inquiry is necessary. I believe that he really and honestly wants inquiry; but to appoint a Committee of this House at so late a period in the life of the Parliament, would, I think, be very apt to lead to an inconclusive result. Before any Report could be presented Parliament itself would have died, and some of the hon. Members who sat upon the Committee might not chance to be returned to the next Parliament. That, I think, is a cogent reason for asking for a Royal Commission, and not for a Committee of this House. In fact, I fear that to ask for a Committee of this House would be practically asking Parliament to shelve the question. The hon. Member for Cambridge (Mr. W. Fowler) has also an Amendment upon the Paper; but I am glad to see that he is only half-opposed to the Motion. He admits that there were evils attending the present Bank Act, and that it is not the self-acting, self-adjusting, automatic machine which its great propounder held out to us it was to be. But with such an admission on the face of his Amendment, I wish to know how it is that he refuses inquiry. If the hon. Member has any faith in his own views, he must see that inquiry would be in his favour, and would lead to the adoption of his opinions; therefore, instead of the hon. Member opposing inquiry, I confidently look to him to support it. I have endeavoured to make my statement, although rather a long one, as simple as possible. Nothing would have been easier for me than to have covered up the whole subject with a cloud of figures such as has been usually the case when Gentlemen have dealt with it. I have steadily avoided that, and where I have used figures I have employed round sums and not the exact sums. Thanking the House for its patience, I now beg, Sir, formally to move my Resolution.

Mr. MUNDELLA seconded the Motion.

Motion made, and Question proposed,

"That, in the opinion of this House, the present system of Currency is dangerous to the commerce of the Country, and that some change is necessary to prevent such extreme fluctuations in the discount rate as have been frequent since the passing of the Bank Act of 1844, and that an humble Address be presented to Her Majesty, praying that She will be pleased to issue a Royal Commission to inquire into the means of remedy for the evils complained of."—(*Mr. Anderson.*)

Sir JOHN LUBBOCK: Fifteen years have now elapsed since the last Parliamentary inquiry into the operation of the laws by which the currency is regulated—fifteen years most eventful and instructive. Under these circumstances it is surely desirable that our financial history during this period should be recorded, and that the statistical tables which we now have up to 1857 should be brought down to the present day. There are, moreover, some points in which our present laws, or rather, let me say, our present customs, might, perhaps, be modified with advantage. Again, as when one of Her Majesty's ships is wrecked, it is usual to have a court-martial, so a suspension of the Bank Act may be said to afford sufficient ground for a Parliamentary inquiry. So far, therefore, I do not differ from the hon. Member for Glasgow, though unable to accept his Resolution. I do not wish, indeed, to lay any special stress on the appointment of a Committee rather than a Commission, although the former seems more convenient, and follows up the precedents of 1848 and 1858. It is, however, impossible for me to accept the Motion of the hon. Member for Glasgow, because I do not believe that the present system of currency is dangerous to commerce, or that fluctuations in the rate of interest can be prevented by Act of Parliament. It must be remembered that the Act of 1844, though called a Bank Act, is, in fact, only a Bank-note Act. It does not interfere in any way with the Bank as a Bank, but it limits the issue of bank-notes to a certain fixed sum, *plus* the amount of bullion. The main object was to secure the convertibility of the note, and it has done so. In all other respects the Bank was left and is still perfectly free. Those who advocate what they call free banking often refer to the United States as a model. But in fact, while true banking—banking as opposed to the issuing of bank-notes—is perfectly free in Britain, this is not the case in the the United States. On the contrary, in that country the law attempts to regulate, not only the currency, but the direct banking business of the so-called National Banks, and provides that they must hold a cash reserve of either 15 per cent., or, in the so-called "redemption cities," 25 per cent. of their total liabilities to the public. These limits have not, however, as a matter of fact, always been maintained, and last December the New York Banks infringed the law in this respect, their reserve being below the legal amount. I agree with a very able article in *The Economist* (7th December, 1872), that the system—

"Is very far from a success. It lays down a hard and fast line, which fetters some banks and is superfluous for others, while it can hardly be said, looking at the strain upon the New York banks, that it suffices to secure an ample reserve in the proper quarter."

But though banking proper is perfectly free in this country, the issue of notes is regulated by the Act of 1844, up to which time the Bank of England was left to exercise its own discretion. In considering the policy of the Act, it is very necessary to remember the history of our currency before 1844, and the events which induced Sir Robert Peel to propose the Bank Act. In 1797 the bullion in the Bank of England had almost run dry, and the directors communicated to Government their fear that they would be unable to meet their engagements. The Government replied by the Order in Council of the 26th of February suspending cash payments. The Act confirming this Order contemplated a resumption of cash payments in June of the same year; but, the fatal step having once been taken, the suspension was prolonged by subsequent Acts until the close of the war. Even then, however, the Bank was not in a position to resume cash payments, nor did this state of things cease until 1823. It must not, however, be supposed that this period was free from financial difficulties. On the contrary, in 1800-1 the commercial distress was very severe; in 1811 it was so great that Parliament authorized an advance to merchants of £6,000,000 against approved securities, in spite of which the failures were very numerous. From 1814 to 1816 was also a period of great depression, and in fact those who regard an inconvertible paper currency as a panacea for financial evils, would do well to study with care the history of this period. In 1825, within a year or two after the resumption of cash payments, the Bank of England was, in the words of Mr. Tooke, drained almost to exhaustion. It has been often stated that on this occasion the Bank was saved by the accidental preservation of a box containing £700,000 in £1 notes. At this period no less than 70 banks suspended in one month; a suspension due to panic, as was shown by the fact that many paid in full, and the whole on an average paid 17s. 6d. in the pound. In 1836 the bullion in the Bank of England was again very low, and in 1839 the Bank was driven to the expedient of raising £2,000,000 by drawing on Paris. This had, indeed, become necessary under the circumstances. Mr. Palmer, Governor of the Bank, in his evidence before the Committee of that House, said:—

> "The case of the year 1839 was one of positive necessity; the bullion in the Bank was reduced so very low, by the discredit that existed of the Bank itself upon the Continent of Europe, as to endanger specie payments, so that there would have been no alternative but suspending altogether making payments in specie if they had not resorted to public credit."

In short, the bullion in the Bank was allowed to fall to £1,000,000 in 1797, to £1,261,000 in 1825, to £3,831,000 in 1837, to £2,406,000 in 1839. Under these circumstances, some legislative enactments were obviously necessary, and the Bank Act was accordingly passed, since which time the bullion has never on any occasion fallen below £6,000,000. It may be said that the Bank of England would under any circumstances have kept up its supply of bullion. Such an opinion would not however, I think, be maintained by any one who had carefully considered the subject. I have great confidence in the judgment and prudence of the Bank Court; but the truth is that without the Act of 1844 it would be almost impossible for the Directors to maintain such large reserves as at present. There were times when these reserves would seem to all those who did not look far ahead to be extravagant and unnecessary. The Bank rate affects not only those who discount with the Bank itself, but a great variety of other transactions, and so many persons are interested in the matter that immense pressure is always brought on the Directors to reduce the rate as soon as it seems possible to do so. I need not, however, urge my own opinion on this point, but will refer to the conclusion of the Committee of this House in 1858, which reported that the true judgment of the Bank Court would, under any circumstances, lead the Directors to act as if the Act of 1844 was in existence—

> "But yet it is not expedient to expose them to the influence of such a pressure as would inevitably be applied at such a time."

Nay, this was the opinion of the Bank itself. The Governor, Mr. Palmer, was asked before the Committee of 1858—

> "Looking at the present views of the Bank Directors, and to the experience which they have now acquired, do you think it probable that if the Bank Act had not been enforced, they would still have been desirous to pursue precisely the

same course as they have actually pursued in that respect."

He replied candidly—

> "I think they would have been desirous to do so; but I am not sure that the influence of pressure from without might not have acted a little to warp their judgment." [*Report on Bank Acts*, 1858, p. 6.]

The hon. Member for Cambridge (Mr. W. Fowler), who is so well qualified to speak on such a subject, has also expressed the same opinion, and I believe it is generally shared by those who have studied our financial history. If, then, we do not maintain the principle of the Act of 1844, we may depend upon it that in future panics we shall have no such stock of bullion to fall back on, and that no mere Treasury letter will be sufficient to avert a suspension of cash payments. My hon. Friend the Member for Glasgow, among the accusations he has brought against the Act of 1844, attributes to that Act the effect of rendering the establishment of new banks impossible. With regard to England that can hardly be said to be the case, because some of the most important and flourishing of the existing banks have been established since the passing of the Act. It is true that this is not the case in Scotland, and the state of the Scotch circulation seems to me to be well worth the consideration of this House. It is however fair to admit that the fact is to a great extent due to the excellent management of the Scotch banks. Admitting, however, that the Act has secured the convertibility of the note, it may be said that this result however important, may be secured at too great a cost. What, then, are the objections generally brought against the Act of 1844? They are, firstly, that it creates panics; secondly, that it necessitates high rates; thirdly, that it causes great fluctuations in the rate of interest; and, fourthly, that it prescribes a fixed and rigid limit. It must be remembered, however, that there were panics before 1844, and that they are not confined to England. In the opinion of the Committees of this House which investigated all the circumstances, the panics of 1847 and 1857 were mainly caused by the numerous failures which then occurred, not the failures by the panics. The unsound state of trade in 1847 and 1857 was sufficiently proved by the condition of the houses which failed. Many persons are under the impression that sound and solvent houses were pulled down by those panics. The facts show this to be entirely an error. The average dividend paid by the firms which stopped did not amount to more than 4*s.* in the pound, which sufficiently proved that they were hopelessly insolvent. Mr. Coleman, the accountant, than whom no one was more competent to speak on such a subject, was asked before the Committee of 1858—

> "Speaking generally with regard to 1847, of which your experience is now complete, are you prepared to say that the failures which occurred in that year were owing to any imperfection of the law by which the facilities for obtaining credit were unduly curtailed?"—"No." "With regard to the year 1857, what would your answer be to the same question?"—"That every house which applied and deserved assistance received it."

Mr. Ball, another of the principal accountants in London, was asked whether in his opinion the result would have been advantageous either to those houses or to the public if they had been sustained, and he expressed his conviction that the longer this had been done, the greater would the ultimate loss have been; in confirmation of which it might be observed that the three great banks—the Western Bank of Scotland, the Liverpool Borough Bank, and the Northumberland and Durham Bank—as well as the two discount houses which failed in 1857, and the stoppage of which so much aggravated the panic, were all in difficulties in 1847, and were assisted by the Bank of England. I will now pass to the second objection—namely, that the high rates which were reached in 1847, 1857, and 1866 were caused by the Bank Act. But if so they would have been confined to this country. Now, in 1847, when our rate went up to 8 per cent, it was 7 per cent in New York, and on trade bills even 18 per cent; in Hamburg, again, it reached 7 per cent, though the Hamburg rates were generally below ours. In 1857, when our rate was 10 per cent, the Bank of France had also raised its rate to 10 per cent, and the rate at Hamburg was 9 per cent, and even at that rate there were only three or four houses whose bills were taken. In New York 62 out of 63 banks suspended; most of the banks in Boston, Philadelphia, and Baltimore did the same; and the rate of interest ranged from 18 to 24 per cent. In 1866, when our rate was 10, that of the Bank of Prussia was 9½, while at New York the rate for short loans was 7 per cent, on good bills 7 to 8 per cent, and on ordinary trade bills from 10 to 18 per cent. It is true that the Bank of France rate was at that time 4 per cent; but that very fact showed the extent to which English paper was discredited. The French capitalists preferred to get 4 per cent for their money in France rather than discount English bills at 10 per cent. The third complaint against the Act of 1844 is that it has caused numerous and extreme changes in the rate of interest. I do not understand that the Act is supposed by the hon. Member to have made money dearer on the average, and such is certainly not the case. No doubt these fluctuations had of late years been more frequent than was formerly the case, but I believe that this is due more to the condition of commerce than to the action of the law. It seems to me a clear proof of this that for ten years succeeding the passing of the Act—from 1844 to 1854—there were only 25 changes in the rate of interest, or, on an average, 2½ a-year. It is no doubt true that latterly they have been more numerous. Last year they had 14 changes, while the Bank of France only altered once—namely, on the 1st of March, when the rate was lowered from 6 per cent to 5 per cent. Our rates, on the contrary, varied from 3 per cent to 7 per cent. The fact is, however, that the conditions of the Paris money market are so different from ours that any comparison for such a purpose must be unsatisfactory. New York is a much more apposite case, and those who wish for a change in our system of currency generally point to America as a model. Now, in New York last year the rate of interest on first-class bills altered 23 times in the year, and varied from 5½ to 12 per cent. Thus, while the difference here between the extremes, even last year, was 4 per cent, that in New York was 6½ per cent. The contrast between London and New York is still more marked if we take the rates on money loaned from day to day. In London the rates allowed for money at call vary from 2 to 5 per cent. But in New York the rates charged on loans from day to day vary from a minimum of 3 per cent to a maximum of 7 per cent and ¼ per cent commission, thus bringing the rate up to 40 or even 50 per cent per annum. Surely, then, it is obvious that it would be an entire mistake to suppose that the adoption of the American system would prevent fluctuations, and periods of pressure in the money market. I am sure, however, that everyone who is conversant with the subject will agree with me when I say that, Bank Act or no Bank Act, if the Bank of England wish to retain its business it must follow the market rate of interest. The Bank of England is often said to fix the rate of interest, just as Britannia is said to rule the waves. We cannot however prevent storms in the money market any more than we can level the waves of the ocean; and last year, if the Bank of England had attempted to maintain an uniform rate of interest, she would at one period have been deprived of all her discount business, and at another have lost all her reserve. Lastly, some persons have objected to the Act of 1844 because it contains a fixed and rigid limit, but this is an objection not so much to the Act as to the nature of things. Before 1844 there was a limit just as there is now; then the reserve of the Bank of England was in gold, now it is in notes; but it was as much fixed in the one case as in the other. There is, however, this important difference—that the present limit can be altered by a stroke of the pen, as we have always a large stock of bullion in reserve. The three panic years of 1847, 1857, and 1866, so far from being periods when the Act broke down, were precisely the times when it proved most useful. The reserve which was intended to maintain the convertibility of the note, was temporarily used to support public credit. In the three years just mentioned the reserve fell to a very low point. The Act of 1844, however, had kept for us, beyond the Bank reserve, a stock of bullion which proved most useful. It is all very well to say that if it had not been for the Act, the bullion would have been available, and there would have been no cause for panic; but the truth is, that, but for the Act, the Bank of England would not have held that stock of bullion. Many of those who oppose the Act seem to suppose that panics are confined to this country. Panics at home naturally produce more impression on us than those which occur elsewhere; but it would be a great mistake to suppose that periods of difficulty have been peculiar to England. On the contrary, they occur wherever trade is complicated and extensive. Take the case of America. During the autumn of 1814 all the Banks south and west of New England suspended specie payments. From the 1st of January, 1811, to the 1st of July, 1830, 165 Banks in the United States suspended operations. In 1825 the rate of interest in New York was from 12 to 36 per cent, and, as stated in a Boston paper of that date—"the merchants cracked like parched corn." In 1837 every Bank in the United States stopped payment, and I have already shown that since 1844 America has not been more free from financial difficulties than we have. There is, however, one way in which our system of currency differs materially from one entirely metallic. Bank notes are much more easily and safely carried about and locked up than the gold they represent, and timid persons during a panic may, under present circumstances, at once withdraw their deposits and lock up the notes. Notes can also be easily sent by post, and if they are cut in halves the risk and trouble of adopting that course are almost inappreciable. But with sovereigns themselves the case is different. There is not only great danger of robbery, but a large sum in sovereigns is both heavy and bulky. During the panic of 1825 a poor woman went to Williams's Bank in the West of England, changed a number of notes for gold, and set out with a mind much relieved to walk home. But though her heart was light her pockets were heavy, and before she had got half way she began to repent what she had done, and feeling very tired, sat down to rest and count her treasure. While she was doing so a butcher boy came by, and at once seeing the state of the case, informed her, with that ready wit which characterises butcher boys, that he was sorry for her, for she evidently did not know that the Sovereign Bank in London had stopped payment. The story adds that she jumped up, hurried back to the Bank, and, after abusing the astonished cashier, insisted on having back her notes. It is obvious that while to draw a balance of £10,000 in 10 notes of £1,000 each was an affair of seconds, to carry off 10,000 sovereigns is a much more serious matter. Many writers on these subjects have assumed that in panics cheques become comparatively useless, and that thus a greatly increased amount of notes is required. I believe that to be a mistake, and that in a panic creditors are glad enough to get a cheque. The increase in the circulation arises, I believe, from the natural wish on the part of Banks, and especially those at a distance from London, to keep strong at such times. I hope that in any future period of pressure the Bank Directors and other bankers, while raising the rate, will, as far as possible, avoid giving rise to an impression that they refuse to discount any good "business" bills. Nothing, I believe, would tend more to prevent panics than the feeling that, at the current rate, good bills would be negotiable. If that were the case, the public would present for discount as few bills as possible, whereas in the late panics they often discounted much more than was necessary, under the apprehension that if they waited they might not be able to discount at all. Still, we should indeed be blind to the lessons of the past if we hoped to avoid difficulties in the future. No law, I might almost add no prudence, could obviate the possibility of panics. Moreover, there is a certain amount of uneasiness in the City on account of the views attributed to the Chancellor of the Exchequer, and especially to his remark that the City must take care of itself. I am sure, however, that my right hon. Friend did not use this expression in an unfriendly spirit. I accept it rather as a tribute to the prudence of those by whom our banking and commercial institutions are conducted. As regards the body to which I have the honour to belong, on the very worst day of the panic in 1857, the London bankers had £5,500,000 deposited at the Bank of England, in addition to their reserves in their own tills. It must then be admitted that they had acted with prudence and forethought. Moreover, it must always be remembered that the pressure in the money-market in 1847, 1857, and 1866, as the published Returns fully prove, arose, not from any withdrawal of the deposits from the Banks, but from an entirely abnormal and extraordinary demand for loans and discounts on the part of the public. It is one thing to hold a sufficient reserve to meet any demands which can be made for deposits, but the calls for loans and discounts cannot be foreseen. Moreover, though the minimum amount of notes which can ever be in circulation may be estimated with certainty, it is impossible to foresee the maximum which may be required. So far as any gradual increase is concerned, the case is met by the provisions of the Act, but it is different with any sudden demand for notes, such as occurred, for instance, in May, 1866, when the amount in circulation rose from £22,300,000 to £26,100,000 in one week. What then would happen if we had a repetition of such a state of things as that which occurred in 1857—which I take in preference to 1866, because the facts of the latter year are not fully known to us? On the 12th of November, 1857, the reserve of the Bank of England consisted of £450,000 in coin and £131,000 in notes, while the deposits of the London bankers with the Bank of England amounted to £5,458,000. Under these circumstances, the Treasury wrote a letter stating that, should the Bank exceed the authorised issue of notes, the Government would bring in a Bill of Indemnity. It must be remembered that this letter did not alter the legal position of the Bank. The Chancellor of the Exchequer has no authority to suspend the Bank Act. No doubt it would always be satisfactory to the Bank Directors to know that they were acting with the concurrence of Government, but that does not affect their responsibility in law. It seems, however, to have been generally supposed that in the absence of such a letter the Bank of England and other bankers would have been compelled to cease discounting, and would thus have saved themselves at the expense of the mercantile community. This idea has caused, no doubt, a difference between the currency panics before and after 1844. In earlier times solvent houses feared for the Bank; latterly they have trembled for themselves. I believe, however, that their fear was groundless. The truth is that the Bank cannot, under such circumstances, suddenly cease to discount. The proper course is to act on the exchanges by timely precautions; but if the Bank cease to discount, the result will be that it will lose more by the panic which it will produce, the hoarding of notes, and the withdrawal of deposits, than it will save by the diminution of advances. Under such circumstances, then, what can the Governor of the Bank do? The Bank must honestly endeavour to conform to the Act; but, if a sudden emergency arise, they must do their best, and, if necessary, come to that House for an indemnity. The Act of 1844 is intended to regulate the Bank, not to break it. It must be remembered that the Bank does not hold it as trustee for the note-holders. The object of the Act was no doubt to regulate the issue, but it does not give the note-holders any special claim on the bullion. In a liquidation, they would rank with the depositors. Under the circumstances, therefore, while on the one hand the Bank ought not to over-issue notes, neither on the other ought they to refuse the cheques of depositors as long as they have funds. They must therefore choose the lesser of two evils. Whether they are responsible for the position, or whether it was due to circumstances beyond their control, is, of course, another question. The Governor who sanctions an over-issue of notes, whether with a Treasury letter or not, no doubt incurs a grave responsibility; but it would be far graver to close the doors of the Bank; that is a responsibility which I believe no Governor of the Bank would take upon himself. In certain contingencies, then, it seems—and Parliament has sanctioned the belief—that the Directors of the Bank of England would be compelled to extend the issue of notes beyond the limit contemplated by the Act of 1844. I confess, however, that I should be reluctant to entrust to them a legal power such as is indicated in the Amendment of my hon. Friend the Member for Cambridge, because I think that such a course may lead to an over-issue without sufficient reason. If then, these views are correct, solvent houses have no cause to regard the Act of 1844 with apprehension. As a matter of fact, even in the worst days of 1847, 1857, and 1866, good bills could always be discounted. I trust that no suspension of the Act may again be found necessary. At any rate, while we must no doubt expect times of difficulty, and periods of pressure in the future, still as long as the Act of 1844 is maintained on the statute book, we shall always have a supply of bullion in reserve sufficient to carry the country through any momentary panic. It is, of course, undeniable that the fluctuations in the rate of interest have been greater since 1844 than they were before, but so have those in commerce itself. In 1819 our exports were £65,000,000, and in 1844 they were £144,000,000, showing an increase of £79,000,000 in 24 years; but in 1872 they were £608,000,000, being an increase in the 27 years since the Act was passed of no less than £464,000,000. Taking the amounts which passed through the Clearing House on the 4th of the month in 1839, they were £1,200,000 on an average; the figures were not again ascertained till 1868, but the amount now averages more than £22,000,000. The amount which passed through the Clearing House in 1839 was under £1,000,000,000. It is true that this amount does not include the joint stock Banks, but if we allow another £500,000,000 on this account we shall probably be beyond the mark. After that the figures were not taken till 1867, when they were £3,260,000,000. Last year they amounted in round numbers to £5,360,000,000, and this year they will probably exceed £6,000,000,000. Surely, with these facts before us, it cannot be said that the Bank Act has prevented the development of our commerce? While, then, I hope that Her Majesty's Government will grant a Committee, so that the financial history of the country since 1857 may be put on record and some improvements introduced, I cannot agree to the Resolution of the hon. Member for Glasgow, and I beg, therefore, to move the Amendment which stands in my name. I am anxious that the financial history of the last few years should be inquired into, and while I believe that in some points our present financial arrangements might be improved, I feel the utmost confidence that, while willing to make any changes which can be shown to be desirable, the House will not consent to tamper with the firm basis of our currency, or to abandon the main principle of a system under which our commerce has attained a magnitude and prosperity unsurpassed and unparalleled in the history of the world.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the operation of the Bank Act of 1844, and of the Bank Acts for Ireland and Scotland of 1845,"—(*Sir John Lubbock*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. W. FOWLER said, he could not agree with the Motion of the hon. Member for Glasgow (Mr. Anderson), chiefly for the reason which had been given by the hon. Baronet the Member for Maidstone (Sir John Lubbock)—namely, because he did not think that the present system of currency was dangerous to the commerce of the country, or that any change was necessary to prevent such extreme fluctuations in the discount rate as had been frequent since the passing of the Bank Act of 1844. Hon. Members should keep clearly before their minds what the law could do and what it could not do. The law could separate issue from banking, taking care that the money issued in bank notes was duly secured, so as to be really money, and leaving banking free. Now, he asserted that the Act of 1844 did what was required. By it the note was duly secured, so that a £5 note was what it professed to be; and, at the same time, banking was free, except, perhaps, in Scotland—a case that should be inquired into. Let the House consider the progress of banking in the last 30 or 40 years. During that time the bank note had almost receded into insignificance, when compared with banking deposits. He believed he was correct in saying that the circulation of notes was larger in 1819 than in 1872, which was a very remarkable fact, when considered in connection with the increase in our trade in that period. He would ask the attention of the House to the figures. Take first the exports and imports. The amount being represented by the figure 65 in 1819, would be represented by 608 in 1872. The clearing returns were even more astonishing. The amount of the clearing in 1844 was 40 times the total note circulation; in 1868, 87 times; in 1869, 90 times; in 1870, 97 times; in 1871, 113 times; and in 1872, 135 times. But the actual figures of the clearing for the present year would make the matter still plainer. Take a few weeks. In the week ending January 8th, the total clearing was £114,000,000;

for the week ending January 15th, £145,000,000; for the week ending January 29th, £103,000,000; for the week ending February 5th, £149,000,000; for the week ending February 26th, £100,000,000; and for the week ending March 5th, £161,000,000. But this was not all. Mr. Inglis Palgrave had lately made an estimate of the total amount of the banking deposits of the Empire, and, though only an estimate, it might, he thought, be safely depended on. The figures were certainly astounding—

Average deposits of Bank of England		£25,500,000
Circulation not covered by bullion		10,000,000
Liabilities of London Banks	74,000,000	
English Provincial ditto	210,000,000	
	384,000,000	
Less estimated capital	54,000,000	
		330,000,000
Two-fifths of deposits of discount houses		32,000,000
Scotch Banks, including circulation		80,000,000
Ditto, Irish		34,500,000
15 per cent of liabilities of Foreign and Colonial Banks (120,000,000)		18,000,000
Savings Banks		50,000,000
Total liabilities		£580,000,000

And, now, what was the amount of reserve held against this enormous liability, according to Mr. Palgrave's estimate? He was sorry to say that it was only £24,000,000. Nor was this all. It might fairly be said that the only great reserve in the country was the reserve of the Bank of England, and a large part of that reserve consisted, in fact, of the reserves of other bankers deposited by them with the Bank. Now, under these circumstances when the reserve of actual cash was so small, and the possible and probable demands on it so large, who could wonder at great fluctuations in the rate of discount? That little bit of money, under those circumstances, became so extremely valuable that its worth could hardly be measured when men felt that they must have it whatever they had to pay for it. He wished to ask the hon. Member for Glasgow whether it was possible for any modification in the law of the country to alter this condition of affairs. The present system had grown out of the exigencies of the commercial classes, and a system of bills, cheques, and notes had been invented in order to meet the conveniences of trade. Such a system, of course, had its drawbacks, and the people had to pay the penalty when the day of panic arrived. That which he thought the law could do, and did do, was to give timely warning by acting on the Bank reserves. He could not illustrate this point better than by quoting a few words from Lord Overstone's evidence before the Committee of that House, in 1857—

> "Previous to the Act of 1844, as bullion went out, the place of that bullion was taken by paper notes issued. The consequence of that was that the circulation—in other words, the money of this country—was kept at an undiminished amount when the action of the exchanges required the decrease of it. . . . Under the Act of 1844, we now all know that as the bullion goes out, either the notes which are not in the Bank till, or the notes which are in the Bank till, must undergo a corresponding decrease; and, that being the case, the corrective influence on the action of the Bank, and upon the feeling of the public, is brought into play at the very commencement of the evil."—[Lord Overstone's evidence in *Report on Bank Acts*, 1857, p. 332.]

He believed the noble Lord was right. The Act gave warning in time, and in ordinary times the warning was taken. The Bank raised its rate and public opinion supported the Bank in so doing, which it would not do but for the information afforded by the system adopted by the Act. Raising the rate without apparent reason was very unpopular, and the reason would not be apparent under the old system until it was too late to do any good. But it was said we we have to deal with panics, and the Act does not work well in times of panic. The hon. Member behind him seemed to have forgotten that panics were not the invention of the Act of Parliament. They existed in even greater intensity previous to 1844, for anyone who recollected the panic of 1825 looked back to it as one of the most hideous periods that ever existed. In 1837 the Bank was in the position of having neither notes nor gold; but since 1844 there were large reserves of bullion, whatever might be the demands upon it, and thus the Act enabled the Bank to assist commerce. In America, where there was free banking with a vengeance, the panics were far worse than anything of which we had experience in this country. The Bank of England had had three experiences of the peculiar position of which he was speaking, and there was no doubt the remedy invented by what was called the Government letter was perfectly effective. But this remedy was said to be unsatisfactory. He did not assert that it was satisfactory, but the question was whether or not a better remedy could be proposed. He would like to read another extract from the evidence of Lord Overstone, which showed that, although he was averse to the relaxation of the Act, he thought that the case of panics required exceptional treatment. He said—

> "The principle of the Act is to regulate and control all those actions upon the bullion which arise from legitimate causes, and are capable of being controlled by measures which rest upon principle. But there may be actions upon the state of the circulation arising from accidental causes, as panic, and therefore not controllable by principle, which the Act cannot regulate, and which must, therefore, if they run to an excessive extent, be reached by some extraordinary power."—[Lord Overstone's *Tracts*, 1837-1857, p. 537.]

Again, the Committee who reported in in 1858, spoke as follows :—

> "Your Committee think that such a provision could not be regarded as any violation of the principle of the Act of 1844. To have introduced such an express provision when the law itself was first adopted by Parliament, or even when, as in 1848, it had only been a few years in operation, and was comparatively little understood, was a far more serious question of policy and of prudence than it can in fairness be considered at the present time. Yet the interference of Government in an extreme case must, in fact, be taken to have been contemplated by the framers of that Act."—[Committee of 1858, p. 27.]

Now, the real question was whether we were to trust to the discretion of a Ministry going against the law as it were, or, whether it would not be far better to have the provision a part of the law, so that the law should not be periodically broken. He thought it most dangerous to proceed on the supposition that we were to have no more panics. That mistake was made in 1857. Everything was at that time said to be in a most satisfactory state, though the country was on the eve of a great disaster. A similar mistake occurred in 1866. Some gentlemen then made speeches in public or *quasi* public places in which they declared that the era of panics was at an end. One hon. Member of the House made a statement to that effect than whom no one had access to better sources of information. All, however, were equally in error, and the danger, he would remind the House, was increasing, because while our deposits continued to grow larger our reserves did not proportionally augment. There was a want of elasticity in the Act of Parliament, which did not meet the case, and, that being so, he thought it might be a fair subject for inquiry whether some plan could not be invented by means of which the necessary relaxation, for it must come, could be given by and not against law. It It was, in his opinion, a most unsatisfactory state of things that we should have the people of this country expecting the law to be broken. The law should be so arranged as to be applicable to foul weather as well as to fair. He had no objection, therefore, to inquiry, but he wished the inquiry to be instituted into the whole question, without the House committing itself to anything which was unsound. No hon. Member would, he hoped, give way to the idea that we should get rid of panics. Nothing could be more fatal to a sound conclusion than any idea of the kind. It was, in his opinion, failures which caused panics, and not panics which caused failures. It was a rare thing, he believed, for any man to fail except as the result of his own imprudence, as for instance, in locking up his assets in the wrong sort of securities. We had, however, the same state of things over and over again, and there was no use in assuming that it would not return. He was even afraid that we should have worse panics than those which we had already experienced, in the time to come. He therefore entreated the House, if it resolved to inquire into the question, to inquire into the whole matter thoroughly, and not to expect that it could make money cheap by Act of Parliament, or prevent the consequences of imprudence.

Mr. J. B. SMITH said, that previous to the Act of 1844 the Bank of England were allowed to issue notes *ad libitum.* The Bank laid down a rule that it ought to keep a reserve in gold equal to one-third of its liabilities; but it continually broke that rule, and often the Bank was left with scarcely any reserve of gold at all. At last the reserve was reduced to about £1,000,000, with some 30,000,000 of deposits, and if it had not been for the kindness of the Bank of France in making advances of gold to the Bank, in all probability it must have suspended payment of its notes. The Act of 1844 was passed to preserve us from that humiliation, and it had most effectually succeeded. Nobody doubted that since that period bank-notes could at any time be exchanged for gold, but the Act of 1844 made no other change. The Bank was not allowed to issue notes beyond £15,000,000 except upon deposits of gold, and, consequently, there was a security that its notes could always be converted into gold. But in separating the issue from the other department of the Bank, the Bank, like any other joint-stock Bank, was at liberty to carry on its business as it pleased; and the result had been that it had carried it on just as before—heedless of its principles. The Bank professed to keep a reserve of cash equal to one-third of its liabilities; but in 1847, instead of having 33 per cent, it had only 11 per cent of reserve; in November, 1857, it had only 7½ per cent; and in 1866 only 4½ per cent of reserve. In times gone by the Bank of England was able to govern the money market; but a new state of things had arisen, large joint-stock Banks had sprung up with larger deposits than those of the Bank of England, and things had changed the course. In 1866, three of the joint-stock Banks of London held 60,000,000 of deposits, while the Bank of England had only 29,000,000. It was the large amount of deposits, and not the capital of the Banks, that ruled the money-market; yet at that time—June, 1866—the Bank of England had only £4,000,000 of cash in hand, and that included the cash on hand of the joint-stock Banks. Thus there were £39,000,000 of liabilities, and only £4,000,000 of reserve to meet them, being 4½ instead of 33 per cent of the liabilities. Remembering that state of things, it was not surprising that he should find on taking up *The Daily News* of that day, a paragraph to the effect that uneasiness prevailed in the money-market because £600,000 in gold had been taken from the Bank, and it was expected that the rate of discount on Friday would be raised. Since 1866 the power of the joint-stock Banks had so much increased that they now ruled the Bank of England. There was no other remedy for constant panics and fluctuations in the money-market, except keeping an adequate reserve. In a country like this, where almost all the payments of the world were balanced, they must necessarily have great fluctuations from time to time; and the only way to prevent inconvenience arising from them was to have such a reserve as that a drain of 3,000,000, 4,000,000, 5,000,000, or even 10,000,000 of gold would have no effect upon the market. In 1866 while panic was raging here, no panics occurred in America or France, because of the sound condition of the banks in those countries. The Bank of France had at that time 60,000,000 of liabilities, and 26,000,000 of cash in hand, and, there, a drain of 3,000,000 or 4,000,000, which in this country created a panic, would not have been felt, because they held 44 per cent of their liabilities in gold. The Banks of New York had 17,000,000 of cash against 46,000,000 of liabilities, or 39 per cent; the Banks in Boston held 36 per cent of reserves, and the Banks of Philadelphia a reserve of 48 per cent; while the Bank of England and the three London joint-stock Banks to which he had referred had only 4½ per cent of reserve against £89,000,000 of liabilities. Such a state of things accounted at once for our difficulties, and the constant changes in the rate of discount. One of the most desirable measures to adopt would be to simplify the accounts of the Bank of England by relieving it altogether from the issue of notes, and to transfer the issue to the Government. He had been glad to hear from the hon. Member for the City of London (Mr. Crawford) that the issue department was of little importance to the Bank, which made little profit by it, and no doubt the Bank would, therefore, be ready to resign it to the Government. The proposed inquiry should embrace the whole question, and they must not omit to take into consideration the joint-stock Banks, which no doubt had now about 100,000,000 of deposits, while the Bank of England had perhaps about 30,000,000; and although the Bank of England at present held about £15,000,000 in reserve, that was only 10 per cent of the liabilities of these Banks. In 1865-6, while the whole mercantile community were losing so much money, the joint-stock Banks were realizing 10 per cent interest on their deposits, and were thus in the half year ending the 30th of June, 1866, enabled to make dividends, one at the rate of 25 per cent, another at 29 per cent, and another at 50 per cent per annum; that was done at the expense of the mercantile community.

He joined in the demand for the proposed inquiry, and he trusted that it would be of a full, complete, and searching character.

Mr. NORWOOD said, he was convinced that the feeling of the country was in favour of a searching inquiry into our currency system. The fact that the Act of 1844 had required suspension in 1847, 1857, and 1866, owing to crises from which the trading and labouring classes had severely suffered, did not tend to show that it was a satisfactory measure. Moreover, the circumstances of the country had materially changed since 1844, for in that year our imports amounted to £75,449,000, and our exports to £58,584,000, a total of £134,033,000, whereas in 1872 the figures were £353,376,000 and £255,962,000, a total of £609,338,000. In 1844, too, the private deposits in the Bank of England amounted to £8,000,000, and those in five leading joint-stock Banks to £8,000,000; while on the 31st December, 1872 the private deposits of the Bank of England were £21,481,000, and four joint-stock Banks held £79,350,000—namely, the London and Westminster, £28,660,000; the London Joint Stock, £18,540,000; the Union, £15,180,000; and the London and County, £16,970,000. And notwithstanding that the foreign and internal trade of the country had thus enormously increased, the circulation of notes upon which our currency was based had remained nearly stationary. He agreed with the principle laid down by the Prime Minister in his speech of 31st July, 1866, in which he said—

> "The whole business of issue is the business of the State. The profit of issues belongs to the State, and what is much more important, the responsibility of issues also belongs to the State."

And in the judgment of many well qualified to offer an opinion, the period had arrived when the Government should take over into their own hands the issue and regulation of our paper currency.

Mr. CRAWFORD, having heard the speeches of the hon. Member for Maidstone (Sir John Lubbock) and the hon. Member for Cambridge (Mr. W. Fowler), was satisfied to rely for defence of the Bank Act of 1844, and the manner in which the Bank of England had administered it, on the statements made by those hon. Gentlemen. He had listened with interest to the able and convincing speech of the hon. Member for Glasgow (Mr. Anderson); able because it contained more financial heresies and economical fallacies than he had ever heard propounded in an equal space of time, and convincing because it had convinced him that the opinions he had hitherto held were correct. He should like the hon. Gentleman to define what he meant by the expression that there should be a "free price for gold." The hon. Member for Stockport (Mr. J. B. Smith) had alluded to the peculiar part which joint-stock Banks took in the monetary transactions of the present day, and it was true that those Banks and the Bank of England held in deposit a large amount of money belonging to other people; but he could not see why the hon. Member should have mixed up the other Banks with the Bank of England, considering the totally different position in which they stood from that occupied by the Bank of England. The London and Westminster Bank had a capital of not more than £2,000,000, and had £28,000,000 deposits, while the Bank of England had a capital of £14,000,000 and had £21,000,000 deposits. Why the former with a limited capital could pay so large a dividend was therefore obvious. As to the complaint that the Bank of England held no reserve adequate to its liabilities, it had for some time had 45 per cent of its liabilities in hand. The probability of a rise in the rate of discount on account of the export of gold had been spoken of; but it was a deduction which anybody could draw, that if the export went on the value of money would rise, and the Bank would be bound to raise the rate of discount. The movements of gold were, he must say, made too much of at the present time. There was too great a tendency on the part of public writers to alarm the pnblic mind as to what might be expected to happen. It was quite sufficient for those who had the responsibility of determining what, in their opinion, was the proper thing to do, and what the proper time to do it, without the public mind being alarmed from day to day by prognostications as to what might be the result of such and such a course. His hon. Friend the Member for Hull (Mr. Norwood) had spoken of three suspensions of the Bank Act. He should remind the House that the Act had only been broken, so to say, once. On two occasions the Government had authorized the Bank to go beyond their regulated and legal amount of issue, but only on one occasion had the Bank any necessity to do so. The fact, when it became known out of doors, that the Bank would be able to find notes for all persons who had security to offer, at a price, was quite sufficient to put a stop to all feeling of uneasiness as to the customers of the Bank being able to obtain whatever they might require. He quite concurred in the observations of his hon. Friends the Members for Maidstone and Cambridge that failures were produced by panics and not panics by failures. For his part, he could only name one single instance when throughout the entire panic persons having security were not able to obtain money. On that "Black Friday" there might have been, perhaps, some difficulty, but it was got rid of when it was known that the Government letter was coming, in consequence of which the assistance required could be obtained. It should be borne in mind that during a panic they had not to deal with reasonable and reasoning people. It would be found as difficult to control a herd of wild animals as to render amenable to reason people who had got exaggerated ideas into their heads under the influence of panic. His hon. Friend the Member for Cambridge had given Notice of his intention to propose an Amendment to the effect that a power of relaxation should be vested in the Government, and he confessed that he saw no sufficient reason why they should not be intrusted with such a power. If it were known that such a power existed to increase the amount of accommodation to the public—subject to the operation of a high rate of discount, and with the check of public opinion and responsibility to Parliament—the result could not but be beneficial. He was aware that when the Act was under discussion Sir Robert Peel had in his mind some idea of proposing to give the Government a power of relaxation in the official discretion of the First Lord of the Treasury, the Chancellor of the Exchequer, and the President of the Board of Trade, although the idea was not carried out. He could not help thinking that the circumstances under which the Bank Act was considered in 1844 and the circumstances of the present day were essentially different. Then the principles of the Act had not been tried or tested. Now, after a lapse of 30 years, they had had considerable experience of its operation. It was apprehended that the Government or the Bank would give way too readily to pressure; but it had been shown that there was no ground for such an apprehension. On the whole he was clearly of opinion that much good would result from the granting to the Government of power, under circumstances to be defined, and with the checks to which he had alluded, to enable the Bank to exceed its legal amount of issue. With respect to the inquiry which was asked for, he could only say for himself, and he was sure he might say also for every gentleman with whom he was associated in the administration of the affairs of the Bank of England, that while they saw no necessity whatever for inquiry, all the information sought for being at the disposal of the House, they would interpose no objection whatever in its way. They were ready to come and state all that had occurred in the course of their administration as to which the public had a fair title to information, and that would, of course, have no relation to the private affairs of their customers. They and the officers who represented them were perfectly ready to give evidence as to the working of the Act and the manner in which their duties had been fulfilled in reference to the issues of the Bank. There remained the question whether, if the Government granted the inquiry, as to which he knew nothing, it should be by a Committee or by Royal Commission. For his part, he preferred a Committee of their own to a Commission of which, after its appointment, they might hear again in two or three years. If a Committee were intrusted with the inquiry, he hoped it would be presided over by some person in whom the House had full confidence, and consist entirely of men who had no strong predilections of their own. He did not regret the discussion which had occurred, and he believed that neither the Bank nor the Act, as to its principles, could in the least degree suffer from the most searching inquiry.

MR. R. N. PHILIPS said, he wished to say a word as to the operation of the Bank Act upon the manufacturing interest of the public. On the whole, he was inclined to think that the result of the change made in 1844 had been beneficial to those interests. He hoped that the result of any inquiry which might be instituted would not be to place the commercial affairs of the country more under the influence of the Government. His hon. Friend the Member for Hull (Mr. Norwood) had found fault with the mode in which the Bank Act had been suspended. In point of fact, the Act had been rescinded, not at the request of the Directors of the Bank, but at the instance of bill brokers in the City, who had brought pressure to bear upon the Bank and upon the Government. He believed that to the step thus taken might be traced much of the difficulties and evils which had since been experienced in the mercantile world. Inquiry might very properly be instituted upon one point. The Bank of England had the privilege of issuing £14,000,000 of notes above bullion, and this privilege was given in acknowledgement of services rendered to the Government. A far more straightforward course would be for the Government to pay the Bank for whatever service it had rendered, and for the Legislature to forbid the issue of notes in any degree beyond the amount of bullion in the Bank. He agreed with the hon. Member for the City (Mr. Crawford) in preferring a Committee of the House to a Royal Commission.

THE CHANCELLOR OF THE EXCHEQUER said, he had listened to the discussion upon this question with great pleasure, because he gathered from the views expressed that the House had no wish to interfere with or alter the main principles of the Act of 1844. Such a declaration, supported as it had been by such admirable reasoning, was not only an intellectual treat, but of real solid advantage to the commercial and free institutions of the country. It would be strange if it were not so. But he wished to say a few words on the Act, notwithstanding the approbation it had received, just to point out the practice with regard to it. Whenever any evil occurred in the mercantile world people who had anything to complain of immediately flew at the Act of 1844, without troubling themselves to establish a link between the Act and their trouble. The Act of 1844 had been much misrepresented and misunderstood, but it was exceedingly simple. It rested on a metallic basis. All exchange transactions of mankind ultimately resolved themselves into bargains, and the man who undertook to make a payment really undertook to deliver a certain quantity of precious metal at the proper time. That quantity might fluctuate in value—that was inevitable in the nature of things—but the quantity in each bargain was fixed, and ought not to be departed from. All honest commercial transactions rested on that principle, and it was the duty of the Government to maintain it without deviation. The Act of 1844 embodied it. The object of the Act was to manipulate a mixed currency of gold and paper so that whether the token of exchange were gold or paper it should represent the same value as if the entire currency were metallic. That being so, all that reasonable people could expect from the Act was that it should do at the most what metallic currency could do, and that was what the Act had done. Assuming the desire of the hon. Member for Glasgow (Mr. Anderson) attained, he would say of the metallic currency, as he had said of the Act of 1844, that it was the cause of all the fluctuations in discounts. Assuming also that the hon. Member had established this, what more would he have shown than that it was the pleasure of mankind to select as means of payment and measure something which in its nature was exceedingly liable to fluctuation? He would not have shown there was anything wrong in such a state of things, or that it was in the power of man to correct it. He would have shown only the nature of the substance in which contracts were made. How was it possible for the hon. Member to maintain that the Act had been the cause of all the fluctuations in discount? Did he assert that there were no fluctuations in gold? Of course he could not. There was nothing in the world more fluctuating than gold. Every circumstance of trade influenced its value. There were always a number of people wishing to dispose of it and a number wishing to obtain it. Commercial successes created a demand for it. War, discoveries, increased emigration, every movement in the complicated organization of mankind made a demand for it, and the electric telegraph spread the news of that demand throughout the kingdom, so that it was felt immediately in all quarters. These being the principles of the Bank Act, it was manifest that any attempt to substitute any other basis for mercantile transactions was to attempt to make the Government accessory to great dishonesty, because if a man contracted with another to receive a certain quantity of a certain metal, and in accordance with the wish of the hon. Member for Glasgow something else was substituted for that metal other than a piece of paper which was so managed as to bear exactly the same value as the metal, the man contracted with would be cheated. Instead of the contract being dissolved on the same terms as those on which it was made, it would be dissolved on other terms, and the Government would be the cause of the dishonour.. Of all persons who should be anxious to preserve the stability of the standard of value, none should be more so than the representatives of large constituencies of work-people, because what could be more unreasonable than that when contracts had been made for labour the Government should alter the standard of value, and force upon the contractors obligations they had never undertaken, causing some to pay more, probably, and others to receive less than they undertook? The hon. Member proposed that any person possessed of a certain amount in Government securities should be allowed to issue notes to the amount of 80 per cent, paying 2 per cent in gold to the Government. What would be the value of such currency? That would depend on the wants of mankind. If such currency were issued by an individual according as his necessities dictated, without regard to the wants of the rest of the community, what guarantee had they that the currency would meet the wants of the community? All that would be certain was that the issue would go on to the full extent. Gold would go out of the country, and all the other evils would ensue which generally result from an extension of the currency. That being the state of the case, the question which had excited most attention in the House was, what ought to be done in case of a panic. It was very difficult to say—and for this reason, that the word "panic" presupposed the temporary absence of all reasonable laws and regulations. He was happy to say that "panic" was unknown in our military and naval services, and that it was only reserved for our mercantile service. And why? Our naval and military men had confidence in their courage, discipline, valour, and former success. They had a well-grounded confidence in their discipline and system of control, whereas he was sorry to say our mercantile transactions, at any rate, did not appear to rest on so solid a foundation. He would not enter into the causes of the panics. They had been clearly explained by several speakers, and particularly by the hon. Member for Cambridge (Mr. W. Fowler.) They depended on the anxiety of people to make every penny they could, and on their being content to carry on the banking business of a great nation on exceedingly narrow and slippery foundations. The Banks of Deposit were an instance. The money deposited did a double duty. It formed the security of the depositor, and contributed towards the assets which the Bank had at its command. The money could do one or other of these things; it could not possibly do both. This represented a dangerous policy, and similar instances might be multiplied. The reserves of the Banks, for instance, were fearfully small, but that was a matter with which the Government had nothing to do; it was a matter for those who deposited in the Banks and those who conducted them. The fact was the conductors of the Banks had not self-denial enough to keep sufficient reserves to carry on the business that came to them. What, then, was the course he could reasonably suggest to the House to adopt? He did not think it would be desirable to enter into the inquiry recommended by the hon. Member for Glasgow. He, at least, would not vote for it, because he did not in the least believe that the Bank Act of 1844 had been the cause of the panics which had occurred in our monetary transactions. And as to the Amendment of his hon. Friend the Member for Maidstone (Sir John Lubbock) it had certainly many things to recommend it, but the great difficulty in the way of that Amendment was the speech of his hon. Friend himself, because, while proposing a Committee of Inquiry into the Bank Acts in a very wide sense, he had demonstrated that there was hardly anything in those Acts which he was prepared to say was not right. And what would such a Committee, if appointed, have to do? Why, simply to record facts derived from experience of the working of the Acts. But the House of Commons would hardly be justified in appointing a Committee of this magnitude merely to record facts which had taken place. And as every speaker with only one exception had spoken in approbation of the Bank Acts, it would be a needless agitation of the public mind, which would be only unsettled and disturbed if the House were to grant an inquiry which in its form would embrace even the question whether the monetary system of this country was to be carried on upon a metallic basis or not, when they were all agreed that the metallic basis was the right one, and that the Act of 1844 had stood the test of experience and had answered the purpose for which it was framed. He hoped, therefore, his hon. Friend would not persevere with his Amendment. There remained the proposition of his hon. Friend the Member for Cambridge (Mr. W. Fowler) which had attracted great consideration from the House, and it was only fair to say that a large amount of opinion had been expressed in favour of something in the nature of what his hon. Friend had suggested. There was a very general *consensus* of opinion that the subject was worthy of consideration. What he would therefore propose was that the House should decide nothing tonight, and that the Motion should be withdrawn; but he would undertake on behalf of the Government that they should consider, not the principle of the Act of 1844, but the proposition of his hon. Friend the Member for Cambridge, and matters cognate to it, and would, after the Easter recess, make a communication to the House whether they thought it desirable to have a Committee to inquire into the subject or whether they would at once undertake to deal with it themselves. He hoped hon. Gentlemen would agree to that proposal. It would be extremely desirable that they should agree on this subject, and not go to a Division upon it.

Mr. MUNDELLA said, that, as there appeared to be an unanimous feeling on this subject, and as every speaker had arrived at the conclusion that some inquiry should be held, he trusted the hon. Member for Maidstone (Sir John Lubbock) would not accept the suggestion of the Chancellor of the Exchequer. He would recommend the hon. Member for Glasgow (Mr. Anderson) to withdraw his Motion. He had seconded it because he thought that an inquiry by Royal Commission would be better than any other form of inquiry. The speech of the hon. Member for Maidstone had proved too conclusively that there was no necessity at all for an inquiry; but in the gloss and brilliancy of the speech many of the serious defects of the Act of 1844 had been lost sight of. If the Government would resist the Motion for a Royal Commission, he trusted that a Committee of the House would be appointed to inquire into the working of the Act of 1844. Some of the oldest, soundest, and most experienced bankers in London and the country were most anxious for inquiry. The Chambers of Commerce which met a few weeks ago were urged by one of the soundest bankers in England to come to the Government for an inquiry on the subject. Not only the best men in Lombard Street, but the bankers and merchants throughout the country believed that there were serious defects in the working of the Act of 1844. In 1866 the Government of the day promised an inquiry into the whole question, and, after serious consideration such as the Chancellor of the Exchequer promised tonight, the right hon. Baronet the Member for North Devon (Sir Stafford Northcote), on a Motion by Mr. E. Watkin, stated that there was not one but there were many points which would need inquiry. Owing, however, to the illness or absence of the Chancellor of the Exchequer the Committee was not appointed. He trusted the Government would at once consent to the Motion of the hon. Member for Maidstone.

Mr. HUSSEY VIVIAN said, that the Chancellor of the Exchequer had failed to appreciate the feeling of the House on this subject. The right hon. Gentleman seemed to suppose that the object was limited to a single point—that of enabling the Government legally to suspend the Act of 1844 in case of panic. But something far beyond that was required. At all events, the feeling was that the matter had arrived at a point when it was ripe for investigation. The hon. Baronet the Member for Maidstone (Sir John Lubbock) had advocated inquiry on the ground that very great experience had been gained since the last investigation in 1858. Since then a great crisis had occurred in 1866, and in 1872 we were on the verge of a crisis probably averted by the operation of the Act. It was self-evident from the figures quoted by the hon. Member for Cambridge (Mr. W. Fowler) that the circumstances of our commercial finances were at this moment very different from what they were in 1844 or 1858. That hon. Gentleman stated that in 1844 the transactions in the Clearing House were 40 times greater than the note circulation, but that in 1872 they were 135 times greater. That was surely a remarkable fact. Did it not prove that the note circulation of the country was fractional and infinitesimal? Must there not be a large and wide question to consider besides merely the note circulation? He considered that the currency had very little to do with the rate of discount and value of money. When they had such a fact as that the transactions of the Clearing House amounted in one year to six thousand millions of money, and contrasted this enormous sum with the small amount of the actual currency, it was plain that the whole subject was far wider and deeper than was involved in a mere inquiry into the Bank Act. With the vast interests which were concerned, it was surely not too much to ask that a Committee of the House should be appointed to investigate this great question; and he infinitely preferred a Committee to a Commission. There was one point which ought not to be allowed to go forth to the world, and that was that the reserves of bankers were so small as they had been represented to be. Their cash and notes, though technically called their reserve, were really only a fractional portion of their reserves, which consisted in securities of all kinds, and amongst others the numerous bills drawn by commercial houses which they had in their coffers. It must not be supposed that these did not represent real value; they represented to a very large extent produce as valuable as gold, and it was to the effect which the small gold reserves of the Bank of England exerted on that vast circulation of commercial bills that the investigations of the Committee ought to be directed. He ventured earnestly to press on the consideration of the Government that they should grant the Committee so ably advocated by the hon. Baronet the Member for Maidstone. They might also very properly introduce a simple amendment of the Bank Act which would enable them, under certain exceptional circumstances, to suspend it; but it would be a lame conclusion, indeed, to limit the inquiry simply to what Government should do in case of panic.

Mr. WEGUELIN quite admitted that there was room for inquiry in regard to the banking system of the country. That was so vast a question that he doubted very much whether it was included in the terms either of the Motion or Amendment. The Act of 1844, as explained by the Chancellor of the Exchequer, placed the currency on a basis that could not be shaken, but it left banking and the management of deposits entirely free. Whether that should be so was another question. Formerly the system of banking in the City of London was not to pay interest on deposits. That had been changed to a great extent. The joint-stock and other Banks now paid a large interest on deposits, and if they paid a high interest on deposits they must invest their deposits to a larger extent than formerly. That, of course, affected the reserves. The Government were prepared to deal with the only question as affecting the law of 1844 which, in his mind, was open to discussion. He should therefore be glad if to that extent his hon. Friend the Member for Maidstone (Sir John Lubbock) accepted the proposal of the Government. He did not wish at the present period of the Session and of the Parliament to embark on a more general inquiry of which he did not see the end.

Mr. Alderman LUSK said, he thought the Chancellor of the Exchequer had made a very fair offer to the House. For his own part, he was averse from an inquiry into monetary matters at the present time, as no good could result from it. Discussions of this kind were not unfrequently raised; but in his judgment it would be better if gentlemen, instead of talking about Banks and currency, would look to the manner in which their own business was conducted. The subject had been discussed this evening as if the Bank of England were everything in this country as regards money. Not unfrequently it happened that in one week something like £140,000,000 passed through the Clearing House, and what a small speck the Bank of England appeared when compared with that. The truth was that the rate of money was fixed, not by the Bank of England, but by the joint-stock and other Banks, and the Bank of England merely followed them. Over speculation caused the disasters which had been referred to, and he failed to perceive how any inquiry could prevent them. During the last two panics scarcely a single house had failed which ought not to have failed long before.

Mr. GLADSTONE said, his hon. Friend the Member for Maidstone (Sir John Lubbock) had received much counsel from many friends and advisers, and he would add his mite to the store by giving his adhesion to what had been so emphatically and well said by the Chancellor of the Exchequer on the subject of the Act of 1844. He trusted it would always be understood in the House that if the Government should be disposed at any time to make or entertain any proposal for further legislation on the subject-matter, it would not be in the way of impairing the Act; but by way of assuming it as the basis, and making it the point of departure, if necessary, for any arrangement which might appear likely to be advantageous in giving more thorough effect to the ideas upon which it was founded. Those who had advised his hon. Friend the Member for Maidstone to refuse the offer of the Chancellor of the Exchequer had done so on very different grounds. They had all in supporting his Motion emphatically repudiated his speech, and the hon. Member for Sheffield (Mr. Mundella) admitted that it was impossible to support the Motion on the hon. Baronet's speech. The hon. Member for Glamorganshire (Mr. Hussey Vivian) went further, and would not be content with an inquiry into the Bank Act; but wished to extend the inquiry not only to the whole nature of currency, properly so called, but to monetary paper and all instruments of credit which were used as auxiliaries to transactions between man and man. The discussion might, then, be very well wound up. Some hon. Members had objected to the offer of his right hon. Friend the Chancellor of the Exchequer, that it was insufficient for the occasion; but he would say to them—"Wait and see what it is." The hon. Baronet could not possibly lose anything by accepting the proposal of the Chancellor of the Exchequer, because he would have the power of moving any Amendment he pleased to the Motion of his right hon. Friend. His hon. Friend, he hoped, clearly understood that what the Chancellor of the Exchequer promised was not only to take the subject into consideration, but to advocate a specific proposition, and within a limited time to come down to the House either to make a proposal or to offer an inquiry. In redeeming that pledge the Chancellor of the Exchequer would give the hon. Baronet ample opportunity for making any proposal, if that made by the Chancellor of the Exchequer did not meet his views. The hon. Baronet had no occasion to invite the House to deliver judgment, or to go to an issue on his Amendment. If he did so, he would go to an issue with allies who did not agree with his views except with reservations.

Mr. LAING said, that as an earnest supporter of the Act of 1844, he trusted the hon. Member for Maidstone (Sir John Lubbock) would accept the offer made to him by the Government. The Act had survived far more serious attacks than the present. The Amendment was, in fact, an admission of weakness, if the result of the debate should be a sort of roving Committee or Commission for an inquiry into the whole of the question. It would be a serious thing for this country that this question should be considered an open one. The working of the Act had shown that in the main it had attained the object for which it was it was introduced. Still, however well it might work in ordinary times, occasions might arise, and did arise every 10 years or so, when some relaxation of the Act was necessary.

Sir JOHN LUBBOCK said, he was in the hands of the House, but after the speech of the Chancellor of the Exchequer he thought it was useless to press his Amendment. He trusted that the Government and the Bank of England would give the statistical information required.

Mr. CRAWFORD said, that the Bank of England would be ready to give any Returns in continuation of those supplied to the former Committee.

Mr. ANDERSON said, he had fully intended to withdraw his own Motion in favour of the Amendment of the hon. Member (Sir John Lubbock), but he was rather precluded from doing so by the withdrawal of the Amendment. The hon. Baronet had done this without consulting those who were going to vote with him (Mr. Anderson). He was, however, in the hands of the House, and would, with its permission, withdraw his Motion.

SIR JOHN LUBBOCK said, that he had, on the contrary, as far as was possible, consulted those with whom he was acting. He had understood that the hon. Member was disposed to withdraw the Resolution and support his Amendment; but he did not consider that this committed him in any way.

MR. ANDERSON said, he certainly understood so.

Amendment and Motion, by leave, *withdrawn.*

INCOME TAX.

MOTION FOR A SELECT COMMITTEE.

MR. CHADWICK rose to move—

> "That a Select Committee be appointed to inquire into the incidence, management, and collection of the Income Tax; with power to report on the amendments required, or the advisability of repealing the Tax."

The hon. Member was addressing the House in support of his Motion—when

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Nine o'clock.

HOUSE OF COMMONS,

Wednesday, 26th March, 1873.

MINUTES.]—SUPPLY—*Resolutions* [March 24] *reported.*

PUBLIC BILLS—*Ordered*—Marine Mutiny *.

Ordered—First Reading—East India Company's Stock (Redemption of Dividend) * [102]; East India (Loan) * [103]; Matrimonial Causes Acts Amendment * [101]; Rock of Cashel * [104].

Second Reading—Burials [9]; Sites for Places of Religious Worship * [25]; Consolidated Fund (£9,317,346 19*s.* 9*d.*) *.

Committee—Endowed Schools Address * [94]—R.P.

BURIALS BILL—[BILL 9.]

(*Mr. Osborne Morgan, Lord Edmond Fitzmaurice Mr. Hadfield, Mr. M'Arthur.*)

SECOND READING.

Order for Second Reading read.

MR. OSBORNE MORGAN:* I rise, Sir, to move the second reading of this Bill; and, under ordinary circumstances, considering that this is the fourth year I have had the honour of moving it in this House, I should have been content to do so without comment; but the presence of an ex-Prime Minister—perhaps I should rather say of a future Prime Minister—to challenge the second reading of the Bill, after three years of unbroken silence, and after his absence from every one of the numerous and critical divisions which took place last year, is, I need not say, an occurrence of no ordinary character. Of course, it is not for me to speculate on the considerations which have induced so consummate a tactician to enter the lists with so unworthy an antagonist, or to impart to this question a party significance which I have always disclaimed. It may be that the right hon. Gentleman, with that keeness of perception which distinguishes him, has discovered that this is one of those "great and burning" questions which demand the interposition of a Parliamentary Divinity. Or it may be that he has resolved that the contest of the Irish University shall be renewed in the churchyard, and that the second great party battle of the Session shall be fought over the grave. It is not for me to grudge the right hon. Gentleman his laudable anxiety to pick up political capital out of the tombs, or to form a rallying ground for his party round the last resting places of the dead. The right hon. Gentleman has ere now come before us as the ill-starred champion of a waning cause, and if his defence of the Burial laws be no better than his defence of some other institutions which have now become matters of history, I shall have no cause for regret. The right hon. Gentleman, though a hard hitter, is a fair fighter, and my earnest hope is that this Bill will be fought out fairly, and will not be got rid of, as it was last year, by a process of midnight strangulation. I should have been almost appalled by the opposition, and by the number of Petitions which have poured in against this Bill, were it not for one consoling fact. It seems to me that the very persons who have got up and signed the Petitions against the Bill have not taken the trouble to read it. The Bill has been denounced as a measure of spoliation and confiscation—no unfamiliar words—cunningly devised for the disestablishment, and not only the disestablishment, but for the disendowment of the Church of England. And yet the Bill touches no part of the revenues of the Church; the Bill touches no part of the property of the Church of England; the Bill invades no right of the Church of England except the barren—I had almost said the odious—right of claiming conformity for a corpse. I do not wish to be misunderstood. No doubt the parish churchyard is in some sense vested in the incumbent. He could resist trespass or intrusion, and his concurrence would be necessary to pass the legal estate in the fee simple. At the same time, these interests are vested in the clergyman not for his own use—not for his own personal occupation, but as a trustee. A trustee for the Church of England? For his own communicants? No such thing. It is vested in him as a trustee for the parish, and that in the largest and, if I may use the word, most secular sense. Every person who has gained a settlement in the parish, be he Jew, infidel, or heretic, has the same right of interment in the graveyard of his parish as the right hon. Gentleman or the most orthodox Churchmen who sit on those benches. The parishioners right to interment in England is a civil, and not an ecclesiastical right. If any Gentleman disputes that, I will refer him to Bishop Gibson's celebrated ecclesiastical treatise, where he will find the law laid down precisely as I have stated it. He will find that the parish church is as much parochial property as the parish vestry-hall or the parish pound. It is quite true that the Compulsory Church Rates Abolition Act, when it abolished church rates, did not provide any means for keeping the churchyard in repair. It always appeared to me that was an omission from that Act, and in the Bill which I originally introduced I provided that means should be supplied for keeping the churchyard and walls in decent repair—that there should be laid before the vestry an account of the expenses; and unless there was some other fund to provide the means, the overseers should, out of the rate made for the relief of the poor, repay to the churchwardens the money so expended by them. Who opposed that clause? Upon the first reading of that Bill the hon. Member for Cambridge, whom I am sorry not to see in his place, resisted the clause, and the clause was thrown out in Select Committee, I think, on the Motion of the hon. Member for Boston. And yet nearly every speech made against this Bill, nearly every article written against it, proceeds upon the supposition that the churchyards are the property of the Church, and that I am seeking to give outsiders rights which they did not possess before. Of course, I do not mean that lawyers take that view—lawyers like my hon. Friend the Member for South-West Lancashire (Mr. Cross), who is far too good a lawyer to put forward any such proposition. The hon. Gentleman put his case in a different way. He says that the churchyard is the property of the parish in the same way as the church in a certain sense is said to be the property of the parish, and he contends that the right of entry implies in each case an obligation to conform to the Church services. But just observe the want of analogy between the two cases. In the first place, it is a question for a man's own consideration whether he will go to church at all. He may go to a neighbouring chapel, or he may remain at home. But, unfortunately, a man has no option as to being buried or not, and in the 12,000 and odd parishes in England in which no other burial-grounds exist, he has no option as to the place in which he will be buried. That I think must be obvious. But the fallacy will become clearer if we ask ourselves upon what test does the right of the clergyman to insist upon reading the burial service depend? Is it communion with the Church? It is no such thing. Is it attendance at church on the part of the deceased? It is no such thing. The ceremony of baptism administered by any minister, by a layman, or even by a woman, gives the clergyman the right to insist on the burial service when he is dead. So that the same rite which enables a minister to say—"This man when alive was a member of my fold, and was sealed under my seal," gives the clergyman power to say—"Death has made him my property: though when living he never darkened the door of my church; he is now my property, and I am entitled to seal him with the seal of conformity." I think that proposition need only be stated to show its absurdity. How did such an absurd law come to pass? The reason is obvious. Dissent at that time was unknown. The parish priest was the spiritual father of his flock, and so far from its being a grievance to have the Church service read over the remains, the direst result of the major excommunication was that the excommunicated man was refused what was then the only mode of Christian burial. But when Dissent sprang up, what so natural, so obvious, as that men should wish that the same minister who attended them in health and in sickness should perform the rites over their graves? Thus it will be seen how a rite which was intended to be the comfort and the consolation of the laity, has become distorted into the prerogative of the priest. Do not think I shall say one word against the beautiful service of the Church of England—the most beautiful, perhaps, of uninspired compositions, and one which I never hear without emotion. I do not say one word against it. What I object to is its being forced upon persons whether they wish it or not. I can well understand that, taking this point of view, the clergy of the Church of England have a right to complain. For observe that on the one side the law enjoins them to read the service over every person who has once been baptised, and is not excommunicated or a *felo de se,* no matter what his religion or creed; and on the other, it prohibits the use of any religious service at all in the case of a person to whom, from any cause whatever, baptism has not been administered. So that on the one hand a man who leads a life in defiance of the laws of God and man, or who passes suddenly out of the world in some drunken brawl, with all his sins full-blown upon him, is committed to the grave in the sure hope of eternal life, and, as is well said by *The Times* this morning, he is said to rest in the Lord after his labours, no matter what those labours may have been; while, on the other hand, the unconscious infant who has known no wrong, or the young man or woman who may have led the life of a saint upon earth, may be committed to the ground with all the indignity of silence. Two Petitions signed by clergymen of the Church of England were sent to the Archbishops praying them to endeavour to alter this state of the law—a law which would be intolerable if their own good sense did not induce them to disregard its provisions. But there are others who have shown a determination to uphold the law. I mentioned on a former occasion several instances of clerical outrages—I can call them by no other name—enough to make one's blood curdle. I shall refer now to only one or two instances. One occurred some years ago at Hinderwell, near Guisboro.' A poor woman had been delivered of twins. The medical attendant baptized one of them, but the other died before the rite could be administered. They were put into a coffin together. The fact became known to the clergyman, who had the coffin broken open, and, while the baptized child was decently buried, the other poor, unbaptized child was sent away to be put into an unconsecrated grave. And that was done in strict conformity with the laws of the Church of England. Is not this a cruel outrage? Is it not a scandal to our land, and a disgrace to our country?

"Not friends alone such obsequies deplore,
They make mankind the mourners."

Is this an isolated case? Another case of the same kind occurred at Thame three weeks ago. Another at Carlton, in Nottinghamshire, on November 27th. The account which I took from one of the Nottingham papers is too long to read, but I may state it thus: The child of a poor woman died unbaptized through no fault of her own, for she had endeavoured to get a clergyman to baptize it, but the requisite number of persons could not be obtained. The child was not baptized. The friends took the body to the churchyard at the time another funeral was going on in the hope that by these means they might come in for the benefit of a portion of the Church service. But the clergyman was not going to be taken in in that way. He removed to the further side of the grave of the baptized adult, distant by about fifteen or sixteen yards from that of the unbaptized child, and pointedly emphasized the words, in the singular, our "dear departed sister," lest it should be supposed that any part of the burial service could be intended for a schismatic baby. Another case occurred at Leigh, in Kent, which is thus given in *The Tunbridge Wells Gazette*—

"At Penshurst station a man was killed and horribly mutilated by the express train running over his body. A widow and twelve children were left to mourn his loss. The case awoke the sympathy of all in the district, if we except the clergyman of the parish church at Leigh. How much he felt may be inferred from the fact that when application was made for interment in the graveyard, he not only refused to read the service over the poor man's body, but forbade the sexton to dig the grave, refused the use of planks and ropes to let down the coffin into the grave, and even closed the gate of the yard against the bearers and mourners at the funeral. The palisading had to be removed to make a way for the procession to the grave. Do you ask what sin this man had committed that made a clergyman refuse him not only the rites of Christian burial, but deny him burial at all, so far as he could, in the parish cemetery? It was that common sin of being a 'meetener,' which is more gross in the eyes of some clergymen than being a drunkard or a profligate. The good man was a regular worshipper in the chapel recently erected by Mr. Samuel Morley, M.P., in that village, and a recognized member of the church there. His life, there is every reason to believe, was in harmony with his profession, and he commanded the respect of all who knew him. Such facts as these are more convincing to us country people of the need for the disestablishment of the Episcopal Church than the most conclusive arguments advanced by the Liberation Society. They make a greater impression upon our hearts. We talk about them amongst ourselves, and those of us who are too ignorant to understand the most lucid argument find no difficulty in appreciating the force and application of the fact. Is this a specimen of the light and sweetness which emanate from the parish clergymen of small country villages who are supported out of the nation's exchequer? What a mercy for poor Dissenters that such men do not keep the gates of heaven, or they would exclude our souls from paradise, as they do our bodies from decent Christian burial."

I will read one more extract from a letter which I have received from a Baptist member named Mr. Gibson—

"On Friday last an old gentleman of the name of Viney was interred in the churchyard at Crayford, Kent. The family being attendants on my ministry at the Baptist chapel, Crayford, were desirous that I should conduct a funeral service. This I did in the chapel. The corpse was then taken to the churchyard. On the way there I asked the undertaker if the clergyman was expected, and his reply was that he had not seen nor heard anything of the clergyman. On arrival at the gate of the churchyard no clergyman was to be seen. The corpse was then lowered into the grave, and I, standing in the road outside the churchyard, concluded the service. Word was then brought to the mourners at the grave that the curate was in the church waiting, and that he insisted on the corpse being taken up out of the grave and carried to the church. Some of the family went to him to endeavour to dissuade him from this. The remainder of the family, with myself, took our seats in the mourning coach. The son and son-in-law of the deceased came to us and said that it was no use, the clergyman would have the corpse taken from the grave and taken to the church. The daughters and other members of the family had to suffer the outrage to their feelings of seeing the coffin carried across the churchyard to the church, and then carried back to the grave, the clergyman and the clerk going through the service. When our children die they refuse to read the funeral service when requested to do so. When our adults die they compel us to have the service, however repugnant to our feelings."

Now, Sir, I do not know that I need dwell on these grievances any further, for the grievances are really admitted. In fact two Bills have been brought in from the other side of the House for the purpose of remedying them. The first was the Bill of Lord Beauchamp, brought into this House last year by the hon. Member for South-West Lancashire (Mr. Cross). That Bill authorized the burial of Dissenters in the parish burial ground without the Church service, provided that no service was read over them—that is to say they must come in as *felones de se*, without any service at all. In other words, the hon. Gentleman said in effect to Nonconformists—"Take your choice between being buried like a Churchman or being buried like a dog." ("Oh, oh.") I do not mean to say that my hon. Friend made use of any such expression, but that was the sense in which it struck Dissenters. I am speaking the opinion of almost every Dissenter in the House when I say that a compromise such as that can only be regarded as an insult. Just let me read from an article from *The Spectator* on that very point—

"But what should we Churchmen say to such a privation? Is it not of the very essence of funeral rites that at the last look of the coffin, at the solemn moment when the anguish of the last leave-taking is felt, there should be words of prayer and religious hope pronounced? Why, you might just as well propose to refuse Dissenters the right of shaking hands at the moment of parting on the ship or in the train, on the plea that it would be quite good enough for them if they got the outward leave-taking done in their own homes, as propose that they should coldly deposit the corpse, without a word of solemn prayer or hope, in the earth, and so leave it. If you reduce human forms to the minimum which reason, apart from feeling, will justify, you really do away with them altogether. If we

Churchmen value, as we do, that part of the service conducted at the grave as of the very essence of the burial service, why not remember that Dissenters are 'of the same flesh and blood,' and are not likely to be content with silent individual prayer and the bare act of interment? The clergymen all feel, and feel most intensely, the grievance to themselves in any sort of displacement from their functions, or in any compulsory mutilation of their own service, but their keen sense of the indignity of being extruded from their rightful place does not seem to help many of them in the least to enter into the indignity which the Dissenters feel at their systematic extrusion from the same offices."

Well, Sir, the other Bill was the Bill of the hon. Member for Salford (Mr. Cawley). My hon. Friend by his Bill said, "We will give you every opportunity for having cemeteries of your own." Yes, but at what expense? There are, as it appears from a Return moved for by the hon. Member for West Surrey, only 531 parishes in England provided with public cemeteries, while the whole number of parishes is about 13,000, so that it would be necessary in carrying out his Bill to provide cemeteries for more than 12,000 parishes. I do not know what the cost would be; but I know it must be something in millions. And this enormous cost is to be incurred, and Dissenters are to be deprived of the melancholy consolation of being buried beside their relatives, and England is to be covered over with burial-grounds, some labelled "Church," and the others "Dissent," in order to prove to the world "how these Christians hate one another," and how, even in death, they will be divided. Look at the safeguards. Why, the Bill literally bristles with safeguards? In fact, it is the number of safeguards which it contains which has made it hitherto impossible to carry it through Committee; for, in fact, every safeguard constitutes a peg on which every hon. Member who opposes the Bill wishes to hang another safeguard. The Bill provides that notice may be given to the incumbent that a burial may take place in the churchyard without the services of the Established Church, but that no service shall be performed by a clergyman of the Church of England other than the service of his own Church. That proviso is not of my seeking. I objected to it at first. It was introduced by my hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope). In fact, in the first instance—and I hope it will be made known outside the House—I had inserted a proviso giving clergymen permission to use a different service. Then comes a clause providing that any service, if not according to the public ritual, shall consist only of prayers, hymns, and extracts from Scripture. I am almost ashamed to have inserted that clause. From what I know of Nonconformist ministers, there is not the slightest reason to suppose that they would make use of a friend's grave for attacking a political opponent. But, perhaps, it is better to err on the side of conciliation. Then the 5th clause provides that all burials shall be conducted decently and solemnly, and that all services shall be religious. The Act does not authorize the burial of any person who, previous to the passing of the Act, had not the right of interment. It gives the largest possible facility for the acquisition of cemeteries by private benefaction, and it provides that in places where there are public cemeteries the Act shall have no application at all. That is the whole of the Bill—a Bill which it is said is to shake the Church of England to its foundations, and which has actually brought up the Leader of the Conservative party into the front of the fray. Hon. Gentlemen may say it is not what is in the Bill; it is what may grow out of the Bill. The churchyard, they say, is the entrance to the church, and if Dissenters get into the churchyard, we shall not be able to keep them out of the church. I have spoken to very little purpose if I have not shown that the case of the churchyard and the case of the church depend upon very different considerations, and surely there can be nothing more illogical than this mode of meeting one issue by raising an entirely different one. Recollect, too, that grievances such as these are the strongest weapons you can put in the hands of those who desire disestablishment. Can you be surprised that men should desire the overthrow of the Establishment if they find that year after year a measure so just, so fair, and so conciliatory, is to be shipwrecked on the rock of ecclesiastical prejudice. It is said that many who support my Bill will also support the Motion of the hon. Member for Bradford (Mr. Miall), and that, therefore, their objects are the same. That is a curious kind of syllogism. It may amuse the House, but it will not affect the Bill. It may be said that a proof that the feeling of the country is against my Bill is given by the fact of so many Petitions being sent up against it. I think I can throw a little light on the mode in which these Petitions have been got up. There is a family likeness running through everyone of them. They are all turned out of the same manufactory. About a fortnight ago, I received a printed communication from a postmaster near Manchester. It was sent to me, I suppose, because, as I found on opening it, my name was used pretty freely in the course of the communication. It purported to be from an association, and it contained what I must call a most disingenuous statement — a statement that the Bill would allow any member or any number of members of any denomination to officiate at any ceremony whatever, provided the ceremony was "religious, solemn and decent." Now that statement does not allude in any way to the concession I made in restricting the service to hymns, prayers, and portions of Scripture. Indeed, that Amendment is only alluded to in quite a different part of the document, and in much smaller print. Then there is a statement that in towns and many of the rural districts public cemeteries are provided, so that the grievance is greatly diminished, and will soon altogether disappear. But what are the facts? There are 531 parishes provided with public cemeteries. There are upwards of 12,000 not provided with them. I say deliberately, any inference which has been based on such a statement as that in the document I have referred to, has been based on false pretences, and I ask the House to pay no attention to Petitions obtained in that way. Another argument used against this Bill last year was that Dissenters would make use of the funeral service for the purpose of making attacks upon the Church, and for what are called "political orations." How it is possible to combine political orations with hymns, or prayer, or portions of Scripture, I, for my part, am perfectly unable to see. I suppose it will be said that a good deal of political animus may be thrown into hymns and prayers, and even into portions of Scripture. If that argument is used, I reply that we have the best possible answer, and one founded on practical experience. In Ireland—the home of sectarian animosity—in Ireland—where party spirit runs so high that voters have to be escorted to the poll by the military, and theological questions are sometimes settled by the aid of the bludgeon and the blunderbuss—a law far less stringent than the law I ask to introduce has existed for not less than seven years. Time after time I have stood here, and asked hon. Gentlemen opposite the question, "Can you tell me of one single instance in which these Acts have been abused in Ireland?" Time after time I have asked that question, and I have asked it in vain. But it is not only in Ireland that law prevails. In every other civilized country in the world with which I am acquainted different sects are allowed to be buried side by side, with their own service. When I brought in this Bill last year, there were two countries—England and Chili—where these restrictions existed. Now England is the only one, for the Parliament of Valparaiso has removed all barriers. In France, in Spain, in Catholic Switzerland, all sects are allowed to use the parochial churchyards. I do not know whether anyone whom I address has visited the churchyard at Zermatt, in the Canton Valais, the most Catholic canton of Catholic Switzerland, close to the scene of that appalling accident on the Matterhorn which shocked us all so much a few years ago. If so, they will not readily forget the beautiful spot where the dust of our brave but ill-fated young countrymen mingles with the dust of the noble-hearted guide, who gave his life for theirs, and the remains of the Protestant clergyman sleep peacefully beneath the shadow of the Catholic Church. I wonder what would have been said in England if the authorities of the Canton Valais, following the analogy of our cruel laws, had insisted that Mr. Hudson and his companions should be interred with Popish rites. The hon. Member for North Warwickshire winces at that question. And well he may. [Mr. NEWDEGATE: No.] Then he ought to do. The hon. Gentleman knows that in such a case there would have gone up a cry of indignation from every Orange lodge in the kingdom, and that it would have been re-echoed from Exeter Hall to Belfast. Is Catholicism so much more Liberal than Protestantism? Is it to be believed that the Anglican priesthood, who boast themselves to be the most liberal priesthood in Europe, still maintain restrictions which the poor half-caste bigot on the pampas of South America has consented to put away? But is it the fact that the clergy of the Church of England are opposed to this Bill? The right hon. Gentleman opposite once boasted that he had got angels on his side. Is it true that the clergy are on his side? The whole of the Broad Church clergy are in favour of this Bill. The Church Reform Union, of which my right hon. Friend the Member for South Hampshire (Mr. Cowper-Temple) is the head, and of which the hon. Member for Stafford (Mr. Salt) is a distinguished member, have approved of this Bill "as a measure of conciliation and compromise." The Church Association, although they do not approve of the Bill of last year, distinctly stated that with some of the provisions which are now introduced they entirely agree. The Dean of Westminster, speaking from that pulpit from which the bigotry of a few fanatics strove—but, thank God, strove in vain—to keep him, spoke in favour of the Bill. The Rev. Llewellyn Davies, one of the most large-hearted of clergymen, has written an article in *The Guardian* so noble and manly in its tone, that I will ask permission to read it to the House—

"Allow me a few lines to protest that there are clergymen—I hope not a few—who instead of opposing the Burials Bill, are heartily in favour of it. It seems to me that Christianity and policy would equally urge us to make the innocent concessions proposed by this Bill. Imagine the case of a Dissenting family in a country parish. They have been accustomed to worship together in their own chapel. The father dies, and is to be buried. The chapel has no burying ground. The churchyard has been a sacred spot in the eyes of the family all their lives. The survivors would like much to lay the remains of their dead in the common burial-place of the parish. But they do not wish at such a moment to go through an act of conforming to the Church. A not dishonourable sentiment makes them unwilling to stamp the departed, who has chosen to be a Dissenter, as a Churchman. Would not all humane and Christian feelings dispose us to meet such a case in a kindly spirit. Well, what concessions does the Burials Bill make to the Dissenters? It provides that any minister or member of a religious body or congregation having a registered place of worship, may recite prayers, hymns, and extracts from Holy Scripture at a funeral in a churchyard. No other person may take any part in the service, no use of the church is allowed, and no address may be delivered. It is further provided that the funeral must not be at an 'inconvenient' time, that all burials under the Act shall be conducted in a decent and solemn manner, and that no part of any service shall be other than of a religious character. What harm could so carefully guarded a liberty possibly do to the Church? All that can be said is that it is a concession; it gives up some exclusive rights, and our Church Defence Societies are sounding their war-notes of resistance and defiance. It is actually preferred that Dissenters should be driven to insist, as a point of honour, upon the creation of unconsecrated burial-grounds within reach of every cottage in the land! It is difficult to believe that good Churchmen should be persuaded to favour so impolitic a course, and to do what they can to widen and fix the gulf between rural Nonconformists and the Church. But I am more concerned to remonstrate against the *ungracious* attitude promoted by our Church defenders. *Non defensoribus istis tempus eget.* It will be a lamentable thing if the Church is induced to repudiate the large-minded, humane, Christian way of acting which becomes the Church of the nation, and to adopt instead the bristling sectarian habit of mind, the attitude of watchful jealousy about rights, which is natural enough to a militant sect."

The Rev. William Freemantle, rector of St. Mary's, Bryanston-square, writes to me even still more strongly. He says—

"Some one sent me the other day your Burials Bill, wishing me to get up a Petition against it. It is really shameful that when you have fenced in this proposal for a pure act of justice by every needful safeguard, there should be this agitation to resist it. I write to ask, is there likely to be any public meeting, or any means of expressing conviction in favour of the Bill? I would join any movement for the purpose, and I cannot but think that if public expression were given to a sense of justice on the part of a few clergymen, it would be responded to, so that we might not have again to undergo the shame of being supposed to resist the demand of right through jealousy of our supposed privileges."

The Rev. Mr. Drake, chaplain to the Queen, the Rev. John Griffith—a name venerated in Wales by Dissenters as well as Churchmen—have written to me to the same effect. Time would fail me were I to read a tithe of the letters I have received from country, as well as from town clergymen, wishing me "God speed" with this work which is to end in the overthrow of their Church. And I have endeavoured to meet them in the same spirit. It was objected when my Bill was brought in, that its provisions were too wide. I consented to insert provisions to remedy that. It was argued that it might be made a pretext for political demonstrations. I inserted a provision that the services should be strictly devotional. The hon. Member for West Kent (Mr. J. G. Talbot) said that was not enough, and proposed an amendment to restrict the services to hymns, prayers, and Scriptural quotations. I accepted the amendment. No sooner had I done so, than the hon. Member began to quarrel with his own amendment. Perhaps it is well it should be so. Perhaps it is better that the question should be fought out on its real issue. ["Hear!"] Yes, it is well that it should be stripped of the miserable sophistries with which three years of bitter controversy have invested it. Let it be understood that this is no longer a question between those who seek to invade and those who seek to defend the sanctity of the grave. It is no longer a question between Churchmen and Dissenters. No; I will tell you what it is. It is a contest between outraged humanity, on the one side—[*Laughter*]—does any hon. Gentleman mean to say that for clergymen to open a coffin and take out the body of a dead child and fling it into the ground like a dead dog, is not an outrage on humanity?—it is a struggle between outraged humanity on the one side, and that ecclesiastical *non possumus* as rampant in Canterbury as in Rome—which mistakes obstinacy for strength, and clings with desperate tenacity to the poorest rag of its prejudices lest it should be suspected of the weakness of a just concession. It is the old struggle which the poet of the last century described more than a hundred years ago—

"While nature melts let superstition rave,
This mourns the dead—and that denies a grave."

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Osborne Morgan.*)

MR. DISRAELI, in rising to move that the Bill be read a second time on this day six months, said, I am sorry, Sir, that I must divest this debate of the pomp and ceremony with which the hon. and learned Gentleman has clothed it in imputing to me that, in the course which I have taken, I have been actuated by the highest considerations of party and politics. The truth is, if the House will condescend to recollect what passed last year upon the subject, so far as I am myself concerned, they will see what a slender foundation there is for the conclusion at which in this respect the hon. and learned Gentleman has arrived. I was prevented from being present at the debate on the second reading of the Bill last year.

MR. OSBORNE MORGAN: There were six Amendments on the Paper last year. Was the right hon. Gentleman prevented? ["Order."]

MR. DISRAELI: And I took as early an opportunity as I could of publicly announcing that I should ask the sense of the House on the third reading. That was last year. My opinion was and is that the measure is one of great importance. My opinion was and is that it never had been adequately discussed, nor in an adequate meeting of the House; and this year I found myself not only bound by honour, but impelled by feeling, to fulfil the task which I undertook and sought to fulfil last year. The hon. and learned Gentleman complains of the manner in which this Bill was encountered last year, by midnight strangulation. Well, Bills are sometimes met by midnight strangulation, but they are also sometimes assisted by morning manœuvres. Measures may be passed in a very thin House, and by seizing opportunities of hurrying on a decision, which both the House and the country may afterwards regret. Now, Sir, the hon. and learned Gentleman has called our attention, in detail, to the provisions of the Bill. I listened with great attention to his comments upon those provisions, and I confess it appeared to me that he slurred over their contents in a manner which to me was not entirely satisfactory. The Bill is distinguished, I think, by three peculiar circumstances. In the first place, it is an attempt—and an attempt made in the latter part of the 19th century—to invest with exceptional and exclusive privileges certain religious bodies and their ministers. The second remarkable circumstance connected with this Bill is, that they who are exempted from these privileges are no less considerable a portion of the nation than those who are in communion with the Church of England, and no less important a body than the clergy of that Church. And the third remarkable circumstance is, that such a measure should be introduced by an hon. Gentleman who professes to be a Liberal. Now, Sir, notwithstanding the manner in which the hon. and learned Gentleman referred to, and, as it appeared to me, slurred over, the provisions of his Bill, I think he will agree with me that I have not misrepresented its contents when I state that there are distinctions made between the Nonconformist Body and the Church, and that they are all in favour of the Nonconformist Body. In the first place, all Nonconformists will have a right to officiate, with the mere consent of the relations of the deceased; while, on the other hand, the incumbent alone will, as at present, have a right to officiate. In the next place, every Dissenter may under the Bill enter a churchyard and officiate by right, while, on the other hand, no other clergyman but the incumbent can officiate except by permission. The third privilege which it is proposed to grant to Dissenters is this—that all laymen among them may officiate, while no layman may officiate in the Church. The fourth feature of this character is this—that a Dissenter may enter and officiate in any churchyard in his parish, while the right of the clergyman to officiate is confined to the churchyard of his own parish. The fifth privilege granted to Dissenters is, that under the Bill they are practically unlimited in the services they may use, while the clergyman is rigidly tied up to a prescribed service. I am sorry I must trouble the hon. and learned Gentleman with a sixth privilege, which he has provided for Dissenters, but which is not to be assured to the clergyman. The Dissenter has an option, and may leave ungodly and immoral Dissenters to the clergyman —the clergyman is compelled to bury in all cases. Now, I must say, without touching the principles of the measure, to which I will in a moment advert, that it does appear to be a most remarkable circumstance that a Bill—introduced with such a continued burst of eloquence as has distinguished the address of the hon. and learned Gentleman to-day, inspired as all must feel by a conviction of the peculiarly liberal character of the measure—should contain provisions of a character so abstractedly unjust as those to which I have called the attention of the House. [Mr. OSBORNE MORGAN rose to make an explanation, but was met with cries of "Order."] Well, but that is not enough. As if it were not sufficient to point out in so marked and painful a manner the different conditions under the intended law of the Nonconformist and his minister and the Churchman and his clergyman, there is a seventh provision which certainly is not the institution of a new privilege, but which contains an arrangement by which the clergyman is compelled to act as clerk to the Nonconformists, to register all their doings, and thus to occupy the inferior position of recording all their proceedings, which, under this Bill, might at least be eccentric. Now, Sir, I think it would be interesting to try and ascertain the association of ideas and the mental and intellectual process by which the hon. and learned Gentleman, who believes that he is influenced by most liberal opinions, should have arrived at a proposal which is, as I think I have pointed out to the House, so essentially unjust. How did the hon. and learned Gentleman arrive at this proposal? By the common law of this country it would seem that the rights of all parishioners with respect to burial, whether they be Churchmen or Nonconformists, are identical. The Nonconformist has a right to be buried in the parish churchyard on the same conditions that the Churchman has a right to be buried there. The Churchman enjoys no privilege which the Nonconformist does not enjoy. But, then, it is said it is a grievance to the Nonconformist that he cannot be buried in the parish churchyard with the rites of his own communion. Well, the Nonconformist has a right to enter the parish church; but what would be said if the Nonconformist, having exercised that right, rose from his bench or pew and said—"I am here in the enjoyment of my right, but I object to the Liturgy which you are about to use?" I can find only one reason for the conclusion at which the hon. and learned Gentleman has arrived, and I think I am not misrepresenting him when I say that he himself alleged that reason, and that is—that the fabric of the Church and its consecrated precinct are, in fact, national property. Although not absolutely declared, I infer from the argument of the hon. and learned Gentleman that that is his view on the subject. The nature of Church property is a subject which for generations has occupied the attention of some of the greatest minds this country has produced. Perhaps there is no other subject on which there has been lavished such profound erudition, such deep antiquarian research, and which has excited such a sharp and commanding controversial spirit. Every man who has studied that controversy is fairly entitled to hold opinions of his own on the subject; but whatever may be our conclusions, and however profound may be our convictions with regard to it, it is a subject so vast and so grave, and of necessity so difficult, that we might expect very opposite conclusions to have been arrived at in relation to it. But, Sir, I deny that there is any controversy on this subject between the country and the Nonconformists. Forty years ago the Nonconformists, by means of a new law, acceded to a great increase of electoral power and a corresponding political influence; and they thereupon commenced an agitation — I may almost say "a thirty years' war"—against the levying of rates for the maintenance of the fabric of the Church and of the consecrated precincts of the Church. It is unnecessary for me to remind the House of what is a considerable incident in the history of this country—the agitation conducted against the church rates by the Nonconformist Body. Well, they succeeded at last in their great object. Their case, as it was originally stated, as for years it was sustained with almost matchless energy, with first-rate organization, and with great eloquence, was this—they said, "The Church is a building which really is devoted to the purposes of only a portion of the nation"—a portion which they then called an Ecclesiastical Sect—"the churchyard is a ground consecrated, which we hold to be a superstitious practice, and we believe that it ought not to be maintained; and, therefore, what can be more unjust than that we should be called upon to pay taxes for the maintenance of a fabric that we don't use, and of a churchyard the character of which we don't approve? and, under these circumstances, we call upon Parliament and the country to relieve us from such a grievance and from such an injustice." Their appeal was ultimately successful. After a struggle of, as I said before, thirty years, Parliament acceded to their wishes. Parliament acknowledged that there was a religious grievance, that it was intolerable, that the Nonconformists were not interested in the maintenance of the fabric of the Church or of the churchyard, and relieved them from the payment of the taxes they complained of. With their relief from those taxes the controversy between the country and the Nonconformists as to the character of Church property ceased; and if ever there took place what I believe would be one of the most unfortunate events that ever occurred in this country—I mean the dissevering of the State from its connection with religion—so far as the position of the Nonconformists is concerned, they can make no objection whatever—they are estopped from ever making any objection—to Churchmen taking their sacred edifices and their churchyards. I, with many on this side of the House, and I believe with some on the opposite side, opposed the abolition of church rates. I did so because I did not wish to see a source of revenue necessary to the maintenance of the Church abolished, whereby great embarrassment would arise, and injury would result to the Church fabrics in many parts of England, and especially in the rural districts. Of all taxes which were ever imposed upon the nation, the church rate was the least unbearable. It was imposed for a public, not to say common object, and by a most popular method—namely, by the decision of the majority. But doubtless it was some compensation to us to think, when the abolition of church rates was carried, that it was a public recognition by the State that, whatever might happen hereafter, the churches and the churchyards belonged to Churchmen. Neither did the Nonconformists during that great struggle act without a full knowledge of the consequences that their success would entail. A most eminent member of their body, a very learned lawyer, was so impressed with the folly of their conduct in the position they took up in seeking to relieve themselves from the payment of church rates, on the ground that the churches and churchyards should be maintained by those who used them, and for whose purposes they alone existed, that he in more than one learned work impressed his convictions upon them, and supported those convictions by ample erudition. I refer to Mr. Toulmin Smith, who, although he may not have been a Selden or a Spelman, was a learned legal antiquary. Upon this subject I hold that he took the right view, and that his conclusions upon it were sound. It cannot, therefore, be said that the Nonconformists rushed into the contest with precipitation, or that they were blind to the necessary consequences of their success in seeking for such a long series of years to obtain the abolition of church rates. Having taken up their position, they must abide by its consequences. If the churchyards are national property, let the nation support them. If they are national property, re-impose the church rates, and let the Dissenters pay up all arrears which unquestionably are due to the country. I am perfectly willing myself to rest the whole of my opposition to this measure upon that case. By the abolition of church rates, and by throwing the maintenance of the fabric of the churches and of the churchyards upon Churchmen, the Nonconformists have placed themselves in such a position that they are not justified in interfering with the conditions upon which they are allowed to use churchyards. If I pursue the subject further it is only because I do not wish to avoid any topic which has fairly been brought before the House. I must say in passing that there is not merely a legal inconsistency in the conduct of the Nonconformists in their treatment of the question, but there is a sentimental one which I think ought to be noticed. The Nonconformists originally objected to churchyards because they were consecrated, which they said was an act of superstition; and, no doubt, making every allowance for the great increase in the population of the country, and other circumstances, it is mainly to the energy of the Nonconformists, and to their prejudices against burial in consecrated ground, that the institution of public cemeteries in this country on so large a scale has taken place. But, having established these great public cemeteries, the Nonconformists want to go back to the consecrated grounds; and on what plea? It is a plea that touches every heart—it is that they may be buried in the same locality where their fathers and their relatives have been buried. But they quite appear to forget that in coming back to the consecrated ground they leave the unconsecrated ground of the cemetery which they have used for a generation, and in which also lie the remains of their relatives. This appears to me to be an inconsistency on the part of the Nonconformist Body which it is not easy to explain. But, passing on, I wish now to consider the question without reference to what I have urged, and in its more abstract character as a religious grievance. If there be a grievance, the House of Commons ought to consider it; and if there be a religious grievance, a wise statesman will not disregard it. But, in the first place, we must satisfy ourselves as to what we are doing. It is no use for an hon. Member to come down here and to tell us stories, which may be true or untrue, which he has read in *The Tunbridge Wells Gazette*, and to ask us to alter the ancient laws of England upon an authority like that. So far as I could collect from the narrative contained in *The Tunbridge Wells Gazette*, it relates, if true, to what would only be the act of a foolish clergyman doing something which was essentially illegal; and are we to be asked to change the whole laws of this country because a foolish clergyman does something illegal? If there be a grievance, let us ascertain in the first place what it is, and then let us ascertain its extent. If we are to change the laws of this country on a subject of some magnitude, let us have before us ample and authentic information. If I were to adopt the statement, and if I were to be guided in my vote by the statement of the hon. and learned Gentleman I should believe that, out of 13,800 parishes in England, in 12,400 there is no accommodation for the burial of any Dissenter. Is it possible that such is the case? Is it possible that society could exist or civilization could go on if such a fact were correct? In such a matter we ought to have adequate Returns. The hon. and learned Gentleman says he has been four years engaged in the enterprise of changing the law upon burials. He says that during that time I have generally been absent, and always silent. But if I had been here on every occasion and listened with the utmost attention to the hon. and learned Gentleman, so far as I can judge from his speech to-day, I should not have obtained much information on the subject. I came down here to pay the utmost attention to his statement; but, though the hon. and learned Gentleman quoted all sorts of anonymous authorities from *The Times* down to *The Tunbridge Wells Gazette*, I have been able to obtain no information whatever of an authentic character. Now, I apprehend if the Nonconformists represented by the hon. and learned Gentleman who has been engaged in an enterprise, which, according to the hon. and learned Gentleman's account, has taken up four years, desired, they might have obtained this information—1. Returns as to the number of Nonconformist burial grounds in each parish; 2. As to the number of public cemeteries with unconsecrated ground in each parish; 3. As to the number of Dissenting chapels in each parish, and in what parishes there are none. If the hon. and learned Gentleman had given that information, we should have been able to arrive at some conclusion. The Returns on the Table of the House in connection with burials are very incomplete and extremely partial in the slight information which they afford, and I think that both sides of the House will agree in this, that we should be able to legislate with much greater satisfaction to ourselves, and I am sure to the country, if we had the information before us which I have indicated in the three Returns I have named. It so happens that there is a body in this country who have endeavoured to make these researches. I am not going to found any argument, so far as the principle of the Bill is concerned, upon these researches, the result of which is in my possession, because they are not complete and they are not official. Therefore, so far as the principle of the Bill is concerned, or any principles involved in it, I base no argument upon them. But these Returns, from the respectable character of the body that instituted the queries, and the official character of the persons who answered them, are extremely valuable. I think they will show that there is upon this subject a great deal of information of which we are ignorant; and, therefore, that it becomes incumbent on Parliament to take steps to obtain complete and official Returns. I place those which I possess before the House with no other view than that. I ask no gentleman to arrive at any conclusion from these Returns; but I ask him respectfully to listen to them. I shall put them very briefly before the House, which I am sure will see that in this matter we are called on to act with that ample information which Parliament should always possess. Now, these Returns were made under the three heads which I have mentioned, and were obtained by the Church Defence Institution—a body which, though there may be many persons who will not agree with it, all will acknowledge to be composed of most respectable persons, animated by a high sense of duty. They have applied themselves to the effort of obtaining authentic information, and have addressed three queries, which I have put under the form of Returns, to the rural deans of England—a body between 700 and 800 in number. They have succeeded in obtaining a great many Returns, and the House will regret that they have not obtained more. They have Returns from 6,200 parishes out of 13,800. By these it appears that there are in these 6,200 parishes 8,200 Dissenting chapels with 1,627 burial grounds—that is, one chapel in five has a burial ground. And yet the hon. and learned Gentleman argued the whole case to-day as if there were nothing but churchyards and public cemeteries, which last are of modern institution. But, besides these there are in these parishes 421 public cemeteries with unconsecrated ground, increasing every year with more extended areas, and now averaging one for every 14 parishes. Now, the House will see at once this represents a state of affairs which, so far as the speech of the hon. and learned Gentleman is concerned —and we know he has been considering his speech for at least four years—appears to have been completely veiled. The question of Nonconformist graveyards seems never to have occurred to the hon. and learned Gentleman, although we may fairly presume that at this ratio there cannot be less than 4,000 places of Dissenting sepulture in England. But what I think very important in connection with this matter are the Returns from the Principality in which the hon. and learned Gentleman has peculiar interest. I come first to the diocese of Llandaff. There are Returns from 132 parishes in that diocese, showing that there are 103 burying grounds for 238 chapels, the deficiency being supplied by 11 public cemeteries. That is the state of affairs in the diocese of Llandaff, with which if I were a Nonconformist and contemplated my burial I should be tolerably content. In the diocese of St. David's there are 165 parishes with 345 chapels and 209 burial-grounds. In one of the rural deaneries the proportion rises as high as 17 burial-grounds for 18 chapels, and to complete this wealth of burial-grounds there are 16 public cemeteries. We could hardly suppose from the speech of the hon. and learned Gentleman that was the state of the Principality with which he is so familiarly acquainted. Unfortunately, the Returns from the other Welsh dioceses are very meagre; but I beg the House to remember what I said, that I am not founding any argument against any principles of the Bill on these Returns. But I think they show that it is our duty to obtain complete and official information. But although the Returns from St. Asaph are meagre, still here is one which is striking, and that is from the rural dean of Welshpool. In the rural deanery of Welshpool there are 14 parishes, containing 59 chapels, 11 Nonconformist burial-grounds, and two public cemeteries. The whole population of these parishes is only 15,000, and deducting, according to Nonconformist principle, one in five for the Church, we have a probable death-rate among Nonconformists of 250 per annum, and as many as 13 graveyards to receive their dead. Now, I do maintain that if these Returns be accurate—and the inquiry was instituted by a body of noblemen and gentlemen whose character is above all reproach, and the Returns made by gentlemen in a high official position—namely, the rural deans of England and Wales—I say if these Returns are accurate, and no one can doubt them—I could almost pledge myself to their accuracy, although the House knows as much about them as I do—the result is entirely contrary to the impression which the speech of the hon. and learned Gentleman was intended to produce; and proves that, before we make a change of this character, we should have information to guide the House of Commons and satisfy the country that we were not acting in the dark and according to the transient passion of a minority of the population. Let me refer to one other subject. I confess a conviction has been produced in my mind by the information I have quoted that, if a grievance exists at all, it must be a very minute grievance, and that it does not warrant the vast change which the proposition of the hon. and learned Gentleman involves. But is there even a minute grievance? I wish to discuss the matter with my Nonconformist friends with the utmost fairness. Now, view it in this way. Even if a minute grievance is alleged, it is founded on the abstract assumption that there is a prejudice among Dissenters against the occasional use of a Church Service. Now, that is a pure assumption. I will not appeal to the individual experience of gentlemen on either side of the House; if I did I am sure they would tell me that in their parishes there is not the slightest difficulty in the matter. Dissenters raise no objection, and often even express a wish for the offices of the Church. We know, notwithstanding what the correspondent of *The Tunbridge Wells Gazette* wrote, that there is generally a feeling of mutual respect and affection between the incumbent of the parish church and the Dissenters; that there are relations of intimacy and confidence between them, and offices are rendered social and even religious of inestimable character. Look at the evidence upon our Table, as to the occasional use by the Dissenters of the offices of the Church of England. Look at the Returns of marriages in England. Observe that 75 per cent of the marriages are solemnized according to the rites of the Church of England. It is perfectly clear that of these 75 per cent a very large proportion must be Nonconformists. We all know that a Dissenter is generally by choice married in Church. Is the Burial Service more calculated to give umbrage to the Nonconformist than the Marriage? Of all Church Services the Burial Service would seem of most general and solemn sympathy. Therefore, I cannot admit that Nonconformists have even a minute grievance to complain of. But I have argued the case with regard to grievance totally irrespective of the principles on which I have objected to this measure. I object to this measure because I think after the Nonconformist Body, by a ceaseless agitation and a persevering energy which does them credit, induced the Parliament of England to free them from the obligation to pay church rates, on the ground that they had no connection with the fabric of the churchyard, all necessary connection between the Church and the churchyard, so far as Dissenters are concerned, ceased; and if they will use them—I wish they would use them more—they must use them, upon every principle of law and equity, on the conditions imposed by those to whom they belong. And now, before sitting down, I would make one remark to my Nonconformist fellow-countrymen on this matter. About 40 years ago an Act was passed in this country—the Reform Act of Lord Grey

—which invested the Nonconformist and Dissenting Bodies in this country with great power. Whether it was intended or not it is unnecessary now to consider, but there is no question that they gained a preponderance of electoral and political power under that Act—I must say out of proportion to their population and their wealth—I will not say to their intelligence and public spirit, for they have always been distinguished in those respects. That power which they gained 40 years ago they have used with great energy and with admirable organization. I do not for a moment pretend to say that there have not been many instances in which they have used it wisely. So long as they maintained toleration, so long as they favoured religious liberty, so long as they checked sacerdotal arrogance, they acted according to their traditions, and those traditions are not the least noble in the history of England. But they have changed their position. They now make war, and avowedly make war, upon the ecclesiastical institutions of the country. I think they are in error in pursuing that course. I believe it is not for their own interest. However ambiguous and discursive may be the superficial aspects of the religious life of this country, the English are essentially a religious people; and I am much mistaken if there be not, even among those who may be apparently in careless communion with its rites, a feeling of reverence and affection for the Church. They look upon it instinctively as an institution which vindicates the spiritual nature of man, and as a City of Refuge in the strife and sorrows of existence. I want my Nonconformist friends to remember that another Act of Parliament has been passed affecting the constituencies of England since the Act of 1832. It appeals to the heart of the country. It aims at emancipation from undue sectarian influence; and I do not think that the Nonconformist Body will for the future exercise that undue influence upon the returns to this House which they have now for 40 years employed. I address gentlemen of great acuteness, and, though they may not touch upon the subject themselves, I dare say there is more than one Member present who has, perhaps, the same opinion as myself upon that subject. Let them not be misled by the last General Election. The vast majority arrayed against us was not returned by the new constituencies. It was the traditional and admirable organization of the Dissenters of England that effected the triumph of the right hon. Gentleman. They were animated by a great motive to enthusiasm. They saw before them the destruction of a Church. I do not think that at the next appeal to the people the Nonconformist Body will find that the same result can be obtained. I say not this by way of taunt, certainly not in a spirit of anticipated triumph. I say it because I wish the Nonconformist Body to pause and think, and to feel that for the future it may be better for them, instead of assailing the Church, to find in it a faithful and sound ally. There is a common enemy abroad to all Churches and to all religious bodies. Their opinions rage on the Continent. Their poisonous distillations have entered even into this isle. We see ancient dogmas, thrice refuted, dressed up again in the garb of specious novelty, and again influencing the opinions of men. What I want to see is a cessation of this war between the Nonconformist Body and the Church of England. Let them be allied against the common enemy, and resist the influence of those who, if successful, will degrade man and destroy civilization.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Disraeli.*)

Mr. T. HUGHES said, that if he were a Member of the Liberation Society, he should feel inclined to propose a vote of thanks to the right hon. Gentleman who had just sat down for the speech which he had made. He (Mr. Hughes) had never heard a speech more calculated to bring about a separation of Church and State than that of the right hon. Gentleman. The right hon. Gentleman objected to the Bill on the ground generally that it invested Dissenters with peculiar privileges allowing them in fact to do what could not be done by Churchmen. But though the measure certainly did not contemplate any but ordained ministers of the Church of England performing the Burial Service of the Church, while it permitted Dissenters to perform their services without qualification, the House should remember that that course was in perfect conformity with the practice and creed of the Church of England, which permitted none but ordained ministers to engage in the offices of the Church, while no such limitation existed in many of the sectarian denominations. Another objection urged by the right hon. Gentleman was, that this was introduced as a Liberal measure. But he denied that during the four years it had been before the House it had been regarded by its supporters as a party measure, and it would have been equally acceptable to those who now supported it, if it had originated with any Gentleman sitting on the Opposition benches. Again, it was objected that the Bill in no way limited the services which might be used. This was not the case, the permitted services being expressly limited to prayer, hymns, and portions of Scripture. But in any case he did not believe that any denominational minister acting under this Bill would say or do anything which could reasonably give offence to any clergyman of the Church of England. If, however, language, which by any interpretation could be regarded as offensive were employed on any such occasions, did the right hon. Gentleman believe that the words would hang about the yew trees, the church porch, or the hedges, ready to fall upon the heads of unsuspecting clergymen? He did not believe, moreover, that any sound objection could be founded upon the argument that Dissenting ministers would bury the good among their congregations, and leave their immoral members to be interred by the clergy of the Church of England. No doubt, in some denominations they thought very much more of election than the Church did, and believed that they could distinguish the tares from the wheat; but it was one of the noblest features of the Church of England that it made no attempt of that kind; and if the Dissenters should leave their immoral dead to be buried by the Church of England clergyman, he (Mr. Hughes) hoped that they would accept the work without attempting to draw any such line. Again, with respect to another of the right hon. Gentleman's objections, that the Church clergy would be compelled to act as clerks to Dissenters. The only case in which, as far as he could see, the clergyman could so act would be when he had to sign the register, a duty for which he would receive his fee, and if even his submission went further it was, or should be, the highest boast of a clergyman of the Church of England that he was *servus servorum*, ready to act in his sacred capacity for all who came to him. The equality for which the right hon. Gentleman appeared to contend was an equality that would not be acceptable to members of the Church of England. They did not ask for any such equality. Nonconformists might exercise liberty in this respect, but no member of the Church would be likely to complain at the prospect of being buried in accordance with the rites of his own Church. The right hon. Gentleman accused the Dissenters of logical and sentimental inconsistency in this—that they wanted to go back from what they declared some years ago. He (Mr. Hughes), as a Churchman, need not concern himself with this charge of inconsistency, which he left the representatives of Nonconformity to answer; but what he said was, that this Bill embodied what it was a just and right thing to do, and a thing which should be done whatever the conduct of the Dissenters might have been in the matter. It was said that the Nonconformists had really no grievance at all; but, if so, why was this tremendous opposition made to giving what they asked? The right hon. Gentleman had exhorted the Nonconformists not to make war upon the Church; but it should be remembered that in the vast majority of parishes in this country there were no burial-grounds except those of the Church of England, and an appeal such as that made by the right hon. Gentleman should, therefore, be preceded by an attempt on the part of those who made it to do right and justice. What was asked was that the authorized representatives of a religious denomination should be allowed to perform a certain religious service over the graves of their people, who, be it remembered, had just as much right already to sepulture in the national graveyards as Churchmen, and, surely, if the Church of England wished the war with Dissenters to cease, it should begin to do what was right and just in this matter. The opposition to this Bill grieved him, as a Churchman, more than he could express. He had dreamed of the time when the Church would have risen again to the great work and position which, in theory, she still held as the Church of the whole nation, and when she would have opened her arms to receive back those religious bodies who had but slight differences with her. Believing that this state of things would be the best for all parties, it was with peculiar regret that he witnessed the opposition of the great Conservative party to so small and reasonable a concession to the Dissenters as was asked by this Bill.

Mr. ASSHETON CROSS observed that three years ago he moved the rejection of a similar Bill to this, and since then he had not spoken in the House upon the matter. This being so, he hoped he might be allowed to state briefly his objections to this Bill, and he hoped also that he should say nothing that would in any way hurt the feelings of the Dissenters. It was his sincere wish that the Church of England should long remain the Church of England, not so much for the good of the Church itself, but because it was almost essential for the nation that the Church should be connected with the State, and that the two should be bound together. He would do nothing to make the Church of England a mere sect as distinguished from a national Church. He would shortly allude to the cases of hardship and outrage which the hon. and learned Member had referred to in moving the second reading of this Bill. When they were investigated it seemed that in two of the instances the clergymen were actually breaking the law which they were bound to obey. In the case of "outrage," that was not a Dissenting grievance at all, because there would have been the same hardship if the parents had belonged to the Church. What was complained of was that the clergyman drew a distinction between two children, one having been baptized, and the other not—which was not a matter that applied to Dissenters only, and did not in any way support this Bill. Having got rid of that matter, let them see what the grievance to be remedied really was. In the year 1861 Sir Morton Peto stated the grievance. He said that by the Canon Law of England a clergyman might refuse to bury according to the rites of the Church of England three classes of persons—those who were excommunicated, those who had laid violent hands upon themselves, and persons unbaptized; and he added that those who were specially affected under the latter head were Quakers and Baptists. Now, what was the Canon Law as laid down in *Burn's Ecclesiastical Law?* It was there said that no minister should refuse to bury according to the Prayer Book; the soil of the churchyard having been laid out and enclosed at the expense of the parish there was a common law right to be buried there, and the clergyman was bound to perform the services established by law. The foundation of this law was that the churchyard having been provided at the expense of the parishioners, they therefore had a right to be interred there, though only according to the rites of the Church of England. The Dissenter's right to use the churchyard for interment was precisely the same as his right to use the inside of the church. In both cases the right was accompanied by the limitation that the services of the Church were to be employed. As to the three exceptions to the right of interment, the first would apply only to those who were formally excommunicated — that is, in these days, to no one at all. The second exception applied only to those who, according to the verdict of a jury, had laid violent hands on themselves. Then came the case of those who were not baptized. The highest authority had said that a clergyman ought not to be curious to inquire into that matter, and the common sense of the country would support him in acting in that way. Further, the Church admitted lay baptism as well as clerical, so that a Dissenter who had been baptized by his own clergyman would be admitted as baptized by the Church. As Sir Morton Peto, therefore, had stated, the grievance was confined to Quakers and Baptists, who refused to baptize until the person was of a mature age. But now a further grievance was alleged, and Dissenters said—"You must allow us to enjoy our common law right of burial without the limitation hitherto annexed to it. You must allow us to bury with the services of the persuasion to which we belong, and by our own minister." Now, did the Dissenters generally in the rural parishes feel this as a grievance, or was it not rather a political grievance? In his opinion, it came from above, and not from below. It was forced upon the country Nonconformists; the Nonconformists did not force it upon the House as a rule. If it were not so, why were the Dissenters so ready to be married in the Church? Another argument pressed by the right hon. Gentleman should not be lost sight of. If the expense of providing a cemetery would be so great as to amount to a bar against the burial of Dissenters, it became material to inquire how many burial-grounds there were in England with unconsecrated ground of which Nonconformists might avail themselves if they chose to do so. He believed it would be found that the number was material; and, if so, the grievance was not so great as it had been represented. There was a third point which ought to be taken into consideration. The cemeteries in England and Wales were increasing in number almost daily. Their number was at present 531, and as a rule they were situated close to the most populous places in the country. Therefore we ought to compare, not the number of cemeteries with the number of parishes, but the number of people for whose interment the cemeteries provided accommodation on the one hand, with the country Nonconformists who required accommodation on the other. Another point ought also to be considered in estimating the magnitude of the grievance which at present existed. Comparing the churchyard accommodation as it existed at present with what it was 50 years ago it would be found that the "life" of churchyards, if he might use the term, was so small that if the Dissenters would only wait for a few years their grievances would practically disappear, as it would become necessary, in consequence of the increase of the population, to provide cemeteries all over the country. There was no Return as to the "life" of existing churchyards; but the Return of the number of churchyards, cemeteries, and other burial-grounds gave some clue to the necessity for fresh accommodation. The first table enumerated all parishes in England and Wales in which any new portion of ground had been consecrated as a churchyard during the last 10 years. In every diocese there had been a vast number of additions to existing churchyards, or fresh churchyards altogether. If this number were multiplied by 5 it would be found that in the course of the next 50 years—remembering, also, that the population was annually increasing—the present grievance would practically have vanished. He had shown that the grievance was at all events a small one; that it applied only to country districts; that it was being rapidly done away with; and that in consequence of the provision of cemeteries it would in a few years practically disappear altogether. The grievance, then, being a minimum, the remedy proposed for it was a maximum. The hon. and learned Gentleman who introduced the Bill (Mr. Osborne Morgan) spoke of it as a very simple and small matter to throw open the churchyards to the Nonconformists, and to allow them to perform their services there; but he (Mr. Cross) called it a very large matter—far too large for the minimum amount of grievance. He could have understood the hon. and learned Gentleman saying that all burial grounds of all kinds should be open to everybody, for that was an intelligible proposition; but why the burial grounds of the Church of England should be thrown open to everybody, while the burial grounds of every other denomination remained closed, he certainly could not understand. One clause of the Bill provided that certain burial grounds might be reserved for members of the Church of England; but this provision would be practically a dead letter, as it required that the person who gave the land must state in writing that it should be devoted to the interment of members of the Church of England only. This proviso would render the clause inoperative, because in the vast majority of cases, the land was subscribed for by a number of people, and not given by one individual. He therefore maintained that the remedy proposed by the Bill afforded no reciprocity, and was founded practically on no principle. An able writer, treating on the subject in the year 1861, remarked that in this matter, as in all matters of difference, the conflicting parties ought to put themselves into one another's position, and proceeded to ask how Dissenters would regard a law which placed their burial-grounds at the mercy of any clergyman who chose to improve the occasion of a funeral by elaborate ceremonies, with symbolical ornaments and rites, or who vigorously protested against those who dissented from the Established Church.

This argument was put forward in an article in *The Times* on the debate on Sir Morton Peto's Motion, and he did not think that great paper, ably written as it was, ever put the matter better and more clearly before the country than it did then. His second objection to the Bill was that its promoters made the remedy too large, infringing thereby the consciences of those who differed from them. Hon. Gentlemen opposite might not be able to understand why the clergy of the Church of England objected to the proposal; but it could not be denied that they did object to it. It was the one point of all others on which the vast majority of the clergy of the Church of England entertained the strongest feeling. In redressing a grievance which was so simple, and which could be redressed in a totally different manner, care should be taken not to infringe on the rights and consciences of other people. It was all very well to say they must settle this question by itself, and not go to other questions which might follow it; but he wished to have some distinction raised between the churchyard and the Church. To his mind the right of the Nonconformist to the churchyard was the same as the right of the Nonconformist to the Church; he could see no difference in principle, law, or equity; and in that view the Nonconformists might say, when this Bill was passed—"According to our rites and ceremonies we must not only read some portion of the service at the grave, but some part of it must be read in the Church also." It was all very well to say that nothing would be used but sermons and selections from Scripture; but it was difficult to define a prayer, and there would be very little difference among some Nonconformists between a prayer and a sermon, so far as the breadth of the subjects on which they touched was concerned. There was another point that he wished to refer to. A great number of those who supported this Bill did so not because they cared one straw for the grievance which was said to be at its base, but because they thought it would take them one step nearer to the disestablishment of the Church. That being so, Churchmen would be foolish if they did not put it before the country that they had a right to oppose this Bill, because it was put forward avowedly as a step towards the destruction of that Church which they so much loved and revered. A great deal had been said about the case of Ireland; but hon. Gentlemen who spoke of Ireland had not brought forward the full case of that country. The peculiar circumstances in which the Irish were placed by the Act of George IV. must be borne in mind. By the Act of 9 *Will.* III. stringent penalties were imposed on all persons who continued to bury in the old grounds belonging to the suppressed monasteries throughout Ireland; but though those penalties were very severe, they were never in any single instance put in force, and such burials continued to be performed. Indeed, the Act was so perpetually broken that it was thought right to repeal it, and accordingly it was repealed by the 5th *Geo.* IV in 1824. But at that time another practice had sprung up in Ireland, which went on at the same time, and which was perfectly illegal, but which no one took any notice of at all. The Roman Catholic people of Ireland not only buried in the grounds referred to in the Act of William III., but they also buried constantly in the grounds belonging to the Church of Ireland without any service at all—a thing which they had not the smallest right to do, but from which no inconvenience arose, as no notice was taken of it. The Roman Catholic service was read in the chapel, or at the house of the deceased, and then the body was brought to the churchyard and there interred without any further service. The clergymen of the Established Church wisely abstained from interfering, and consequently peace and harmony prevailed. Under the provisions of the Act 5 *Geo.* IV. these burials were legally allowed with the permission of the parish clergy. The Roman Catholics and Presbyterians, however, still continued to read their services at home; and it was not till a later period, when certain clergymen had refused their consent to burials in the churchyards, that a compulsory Act was passed. Why could not the English Nonconformists be content with a system which had satisfied the Irish Catholics so long—for the Church of England, he might observe, had always professed its willingness to forego reading her service over Nonconformists? If hon. Members would turn to the speech which he delivered in that House in 1870, they would see that neither he nor those who shared his opinions had any desire to legalize burials without any religious service, or to put a Dissenter to the choice of "being buried like a Churchman or buried like a dog;" for referring to the Bill introduced by Sir Morton Peto in 1863, he objected that

> "The first clause of the Bill made it imperative that a clergyman should allow a Dissenter to be buried in the churchyard without any service being read over him. To that proposal, he said, he had a great objection, because he should be sorry to see the law positively recognizing interment without any service."—[3 *Hansard*, cc. 527.]

He assumed that a religious service would be performed in the Dissenting chapel before the body of a Nonconformist was conveyed to the churchyard for interment. He would now suggest another remedy for the evil complained of. It was to provide that the bodies of Nonconformists might be buried in churchyards if it were shown that a religious service had been read over them elsewhere. In regard to other cases he would suggest the immediate introduction of a measure to provide cemeteries all over the country. It would certainly be necessary to do so before many more years had elapsed, and it would, in his opinion, be politic not to delay taking such a course until after the feelings of all Churchmen had been irritated by the passage of the present Bill. He was thoroughly convinced that the remark of the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) was true, that the battle they had now to fight was not one of Churchman against against Nonconformist, but they would find it absolutely necessary to unite their forces against the ignorance, the vice, and the infidelity which were gradually overspreading the country.

MR. MORLEY said, he had understood that before he entered the House that his hon. and learned Friend who introduced the Bill (Mr. Osborne Morgan) had read a statement which contained a gross exaggeration, and was calculated to produce a false impression in reference to the clergyman of the parish of Leigh, near Tonbridge. He gave a portion of land to be added to the churchyard of the living, on the clear understanding that it was to be subject to the law and custom of the churchyard of the parish, and therefore that it was not intended to make any claim in reference to Dissenting burials. He did say, in conversation with his friend and neighbour, Mr. May, the rector, that he should be very glad if some arrangement could be made under which they might be laid side by side in that burial ground, feeling that, however strong might be their convictions with regard to the great controversies of the day, they would lie very quietly together when they were interred. The rev. gentleman was, of course, unable to respond to the wish thus expressed; but he expressed his regret that any law should interfere with such an arrangement. Then, again, to allege that the sympathy of the entire parish, with the exception of the clergyman, was excited on behalf of the man who had been killed in the railway accident was the grossest mistake, and to assert that the clergyman had denied the man burial in the parish church was equally untrue. The fact was that burial was not sought on his behalf in the parish church at all. The friends of the deceased wished that there should be a Nonconformist service, and application was made to him (Mr. Morley) for consent that the burial should be performed in the unconsecrated piece of ground adjoining the parish churchyard, and he replied that it could not be done without Mr. May's consent. That consent was, however, readily given, and the matter ended there. As to the statement that it was necessary to enter that piece of ground through his own property, that was done with his consent, and the clergyman had nothing to do with it. It was, he thought, due, not only to himself, but to his friend and neighbour that he should make this statement. It was, however, desirable that some such arrangement as that contemplated by the Bill should be made, as, unless it were, the bodies of Nonconformists dying in the village to which he referred would have to be carried a distance of four miles for burial. There were two points in this Bill which he thought might lead to a satisfactory solution of the question. The first was that every churchyard was excluded which had been created within 50 years, and the second was that the nature of the services performed by Nonconformists would be in strict conformity with the Amendment proposed by the hon. Member for West Kent (Mr. J. G. Talbot)—namely, confined to prayer, the reading of Scripture, and the singing of a hymn. He had himself been present at the funerals of many Nonconformists, and he had never observed, where they were conducted by clergymen, more solemnity, or anything that was more in accordance with the character of the service, and the event which had led to it than was practised in connection with Nonconformist funerals. He agreed with the hon. Member for South-west Lancashire (Mr. Cross) that there existed more feeling on this subject among the clergy of the Church of England than among the laity. He could testify that many laymen of the Church with whom he had come in contact had expressed a sincere desire that an end should be put to this controversy. There were, he was persuaded, many hon. Members opposite who were of that opinion also, and who believed with him that an arrangement might be made by which facilities would be afforded for the burial of Nonconformists in districts where they were placed at great and serious inconvenience in consequence of the distance to which their dead had to be conveyed for burial. Such an arrangement should, of course, guard against the intrusion of anything which would needlessly offend the feelings—with which he strongly sympathized—of Churchmen on the subject; but, until it was made, the grievance would remain to Nonconformists, and a root of bitterness be allowed to continue, which it was desirable should be plucked up.

Mr. SCOURFIELD desired, as the hon. Gentleman (Mr. Morley) had just done, to correct a misrepresentation—of course an unintentional one—made by the hon. and learned Member for Denbighshire (Mr. Osborne Morgan). He had no wish to enter into the theological part of the question before the House; but it was his duty to clear the character of a person who had been unjustly attacked from imputations which had been made upon it. He had before him the speech delivered by the hon. and learned Member on the 23rd of March, 1870, in which he asserted that at the funeral of the Rev. Henry Rees—one of the brightest ornaments of the Welsh Calvinistic community—the rector of the parish in which his friends desired to bury him "stood upon his strict rights," and confined the service to the singing of a hymn. He could state upon reliable authority that the clergyman in question had not stood upon his strict rights. Had he done so, the Rev. Mr. Rees, not having been a parishioner, could not have been buried in the parish churchyard at all; as, indeed, he could not even had the present Bill passed into law. And he might add that some time before the death of Mr. Rees the vestry of the parish had, in consequence of the crowded state of the churchyard, passed a resolution to the effect that the interment of a stranger should not be permitted, and yet the Rev. Mr. Rees, although not a parishioner, was allowed to be buried there. He quite concurred in what had been stated by the hon. and learned Member as to Mr. Rees's character, and he might inform him that, when attending the funeral of the Rev. Mr. Jones at Carnarvon, Mr. Rees, on being requested to make an address, said he would not mar the effect of the beautiful service they had just heard by adding one word of his own. And, again, when attending the funeral of another clergyman in the year 1867, Mr. Rees refused to comply with a similar request, but, on being pressed, said a few words eulogistic in the highest terms of the funeral service of the Church of England. Professor Tyndall, referring a year or two ago in a lecture at the Royal Institution to a theory which he generally approved, but which he thought had been carried rather too far, said—

> "A man of strong imagination occasionally takes a flight beyond the facts, but without this dynamic heat of heart the stolid inertia of the free-born Briton cannot be overcome; and as long as the heat is employed to warm up the subject without singeing it overmuch—as long as the enthusiast can overcome its mistakes by unequivocal examples of success, so long am I disposed to give it a fair field to work on."

Now, the hon. and learned Member in charge of the Bill had apparently wished to warm up his subject by the personal matters which he had introduced, but he had not hit the happy medium of warming without singeing. Much pain was given to a clergyman who had endeavoured to do a kind act by being held up to odium for it. The "Church of England service" was a somewhat fallacious term, for nobody could tell from the service alone to what denomination the deceased had belonged, such was its comprehensive nature. Living among Dissenters, he was anxious to redress every real grievance; but he deprecated the inflammatory statements which had been made; and with regard to the passion for equality on which the Bill was to some extent based, he would quote the remark of Jeremy Bentham, the great apostle of Philosophic Liberalism, that it had its root, not in the benevolent affections, but in the selfish, or, in the selfish combined with the malevolent.

MR. CADOGAN supported the Bill because he believed it was calculated to meet a great requirement by allowing Churchmen and Dissenters to meet together, where their divergence before, whether great or small, had led to considerable bitterness and animosity. He had no sympathy with the ulterior object of disestablishment attributed to some of the advocates of the Bill. He had received a letter from one of his constituents, which he had not had time to verify, stating that his town had been scandalized by the refusal of burial rites for a Nonconformist unbaptized youth, a service being consequently performed in the road, with the coffin placed on two chairs. Those Dissenters with whom the absence of baptism was an integral part of their creed clearly ought not to be put in the same category with suicides. This was not a political question at all —it was purely a matter of grievance to Nonconformists, and as such he should support the present Bill.

MR. HEYGATE said, he regretted that the alterations which had been made in the Bill since last Session were not sufficient to enable him to support it, although he felt strongly the desirability of putting an end to this long-standing controversy. But every overture made from that side of the House towards meeting the difficulty had been contemptuously rejected; and there was abundant evidence to show that the Nonconformists valued this Bill only because it tended to establish the principle, which he hoped would never be sanctioned, that Church property was to be enjoyed equally by all the religious bodies of the country. That was not an ancient right; and it was not sought to remove the conditions upon which that right was founded. His hope of the settlement of this question had been greatly chilled by the course which had been adopted by the hon. Member for Bristol (Mr. Morley). The hon. Member, who represented a large amount of Nonconformist opinion, in 1871, when seconding the Address to the Throne, said—

> "University Tests once abolished, and a fair Burials Bill agreed to, the House will have disposed of the two last of a number of measures, which used to be spoken of as 'Dissenters' grievances.'"—[3 *Hansard*, cciv. 68.]

But the measure for the abolition of University Tests having become law, and a Burials Bill having passed a second reading by a large majority, and appearing to be in a fair way of being passed, the hon. Member had voted in favour of the Motion of the hon. Member for Bradford (Mr. Miall) for the disestablishment and disendowment of the Church of England. Those who had expected much from the conciliatory language formerly used by the hon. Member were greatly disappointed, and had now no inducement to give up what they regarded as a great principle. The hon. Member for Bradford had himself declared that he approved this Bill, not for its own value, but because it dealt with a branch of a still greater question. Under these circumstances, members of the Church of England could not help feeling that when they had yielded on the subject of churchyards they would immediately be called upon to defend the churches. Many persons formerly in favour of this Bill were now beginning to discover that they had not rightly appreciated the true bearing of the subject. The right. hon Gentleman the Under Secretary for the Colonies, in a speech at the Diocesan Conference of his own diocese, explained that he had voted for this Bill under a misapprehension, without due consideration of the subject; and doubtless many others, on realizing the object of the Bill, would hesitate to give it support. He trusted that in the course of this debate the right hon. Gentleman would express in that House the same opinion he had expressed in the country. Remarks having been made with regard to the number of Petitions for and against the measure, he wished to observe that while the Petitions against the Bill might have been obtained in overwhelming numbers in the rural districts, where the want of a Dissenters' burial ground must be most felt, those in its favour had all come from large towns, where there were large cemeteries in the neighbourhood;

from Wales, where there were ample graveyards attached to the chapels; or from Ireland, where the churchyard had been practically free for years, and where there was no Established Church. When hon. Members opposite said that the fact that these funeral services would be conducted by a Dissenting minister was a sufficient security for the character of the service, they forgot that these services would not be confined to the minister of a denomination. There were many religious bodies who had no recognized minister. The service must, therefore, be left open to be performed by a member of any registered place of worship, and no one could define who was or was not a member of a registered place of worship. It was impossible, therefore, that the House could have any security for the solemn and religious character of the service, and the probability was that if the Bill passed with the securities at present contained in it the House would be compelled next Session to agree to a Bill for amending the Act, and replacing these so-called securities by others more efficient. It would be impossible to have a ritual revised and approved by every religious denomination, nor was there any security with regard to the prayers to be used at the grave side. The fact was, there could not be two masters of the churchyard at the same time. He should be glad to see an amicable settlement of the question; but he hoped the House would never do what was suggested in the Bill, and make every churchyard and every church "the temple of all gods."

Mr. BRUCE said, although he had on several occasions addressed the House on this Bill, and supported its second reading, he was anxious to say a few words again upon the subject. The right hon. Gentleman (Mr. Disraeli) in bringing forward the Motion of which he had given so long a Notice for the rejection of the present Bill, said he did not do so specially in a party sense, and he was happy to bear testimony to the moderation of his tone. He congratulated the House upon the fact, because up to this time there had been on the part of the hon. Gentlemen opposite—and he spoke with some authority, having served on two Special Committees on Bills similar to the one before the House—a very great desire, so far as their principles allowed, to meet the wishes of those who were opposed to them in this matter. They had admitted the existence of grievances, and had made many propositions for their removal, as well as suggestions tending to show how that which was unpalatable to them might be made more palatable; and the friends of the Bill had on more than one occasion availed themselves of the suggestions thus made. The present debate had been hitherto conducted in the same spirit, and he trusted he should do nothing to disturb the good temper with which the House had approached the subject. If he had supported this Bill, which, in the opinion of many, made a great inroad upon the rights of the Established Church, and outraged the cherished ideas of persons whose opinions were worthy of all respect, it was because he was satisfied of the reality of the alleged grievances. The hon. Gentleman (Mr. Cross), in his very temperate and able speech, had denied the reality of any grievances on the part of the Dissenters. Their first grievance was that on all occasions, when they used the parish burial-ground the funeral service of the Church must necessarily be performed over the person buried. He understood that there existed a readiness on the part of hon. Members opposite to alter the law in this respect, and to enable those who objected to the funeral service of the Church to inter their dead in the churchyard without any service at all. The next grievance, and that which had made itself most felt, was the law which prohibited the clergymen of the Church of England from performing the funeral service over the bodies of unbaptized persons. It was alleged that this was no real grievance, because the same law applied both to Churchmen and Dissenters. That was perfectly true; but the circumstances of the two cases were very different. In the case of members of the Church of England the service was never refused, except in the instance of children who, dying almost immediately after birth, had not been baptized. But with respect to Baptists, who were a numerous sect in this country, the case was entirely different. In their case baptism was not performed until a person had arrived at an adult age, the act being considered one of great religious solemnity and importance. The cases were, therefore, much more numerous where the funeral service had been refused to Dissenters than to Churchmen. He did not understand that hon. Gentlemen opposite supported that state of things. They might object to the sweeping remedy now proposed which got rid of it; but he was as certain as that he stood there that a temperate measure making some alteration in this respect would be supported by the great majority of hon. Gentlemen opposite. He was aware of the conciliatory disposition of Churchmen on this subject, because he had read the Report of the Ritual Commissioners upon the existing hardship of refusing to read the service over unbaptized persons. A proposal was made by the Bishop of Winchester and carried that an alteration should be made in the Ritual, and that a service different in some respects, but sufficient, should be adopted, which should carry with it the consolations of hope and meet the religious feelings of those who stood around the grave. Finding that to be the temper of the members of the Church of England it was greatly to be regretted that no legislative effect had hitherto been given to the desire of those who represented the Church with respect to the funeral service over unbaptized persons. The experience of the two past Sessions showed how difficult it was to deal with questions affecting the Ritual and order of the Church as established by law; but had it been possible to deal with these cases, the hardships put forward by his hon. and learned Friend (Mr. Osborne Morgan)—and he was sorry to say not always on the best authority—would have been removed. There remained a third grievance, and the question was whether it was a real grievance. That grievance was that the funeral services could not be performed in parochial churchyards over the graves of Nonconformists by persons of their own religious persuasion. It was said by the opponents of the Bill that Dissenters did not usually object to a clergyman of the Church of England performing the service, and indeed often preferred it. It was a fact that a large number of Dissenters were married in the Church of England, and undoubtedly where the clergyman was popular in his parish, relations of Nonconformists often desired that the funeral service should be read by him; but in other instances clergymen of a controversial disposition were disliked by the Nonconformists, who must in many cases wish the service to be performed by members of their own communion. He put it to hon. Gentlemen opposite whether they would be satisfied, when rendering the last solemn rights to those dear to them, if the service was performed by persons of a different persuasion from their own. He asked them to realize the position of a Dissenter, attached to his own place of worship, and allied by long spiritual intercourse to the minister of his denomination, and say whether it would not be a grievance that the last rites should be rendered to such a man by a minister of a different communion. Under such circumstances, would they not feel a grievance? It was obvious that the feelings of Dissenters must often be hurt by the performance of the service by a minister belonging to a different body. It had been said that cases rarely happened in which the provisions of the Bill in this respect would be required. As to the statistics which had been quoted, it had been remarked that public cemeteries were generally found in very populous neighbourhoods, and that a comparison between the number of parishes and that of cemeteries was therefore no fair criterion of the extent of the grievance. It should also be remembered that a single cemetery often served for a number of parishes, perhaps eight or ten, forming one town. On the other hand, it had been sought to mitigate the hardship by a reference to the large number of cemeteries attached to Nonconformist chapels. Many of these cemeteries, however, were very small, and they were not intended for the reception of Nonconformists generally, but only for those belonging to the special body to whose chapels they were attached. Now, many places, especially in Wales, and probably also populous parishes in the manufacturing districts of England contained many such exclusive cemeteries, and in the absence of a public cemetery the Nonconformist would desire to be buried in the parish churchyard, not in the cemetery attached to the chapel of some Dissenting denomination to which he did not belong. After making every deduction, the cases must be numerous in which there existed only the parish churchyard. The hon. Member for South-West Lancashire (Mr. Cross) had urged that with an increasing population, and with the short life of churchyards, new cemeteries must soon be provided, so that the grievance would disappear. In a vast number of parishes, however, especially those in which the Bill would operate, this was not the case. During the last three decades the population of the agricultural districts had tended to diminish, and no further provision was likely to be necessary. In many cases, too, the additional ground would be granted to the parish churchyards by private donors, and no public cemetery would be provided. Having shown the grievances which existed, he would now consider the objections that had been urged against this Bill. It was feared that disorders might occur; but the hon. and learned Gentleman who introduced the Bill (Mr. Osborne Morgan) had done all in his power to prevent them. He had introduced considerable Amendments into his Bill, and there was clearly much less room for apprehension on this head. One would suppose that upon this point the case of Ireland would be very conclusive. The hon. Member for South-West Lancashire had correctly related the earlier portion of Irish legislation; but he apparently supposed that, though Roman Catholics and Presbyterians had been entitled to burial in churchyards, no services had been performed by ministers of those denominations. Why, however, was the Act of 1868 necessary, which deprived clergymen of the power of refusing to allow such services? Clergymen had been found in Ireland refusing permission in cases where it ought to have been granted, and Parliament accordingly granted Ireland a measure almost identical with this Bill.

Mr. ASSHETON CROSS explained that he had stated that in consequence of some clergyman foolishly not giving the permission allowed by the Act of George IV., another Act was passed, and he was perfectly accurate in his account.

Mr. BRUCE remarked that it was hardly to be supposed that the existence of a single grievance would have enabled his right hon. Friend the Postmaster General to pass a measure like that in question. A special case might have acquired prominence, but it could not be supposed that Parliament would have sanctioned so large a principle, the demand for the extension of which to England must have been foreseen, had not many instances of the kind been adduced. But the main argument after all—for it was admitted that the service might be performed without disorder and without infringing on the solemnity of the spot—was, that the real danger consisted of the consequences which might ensue from the passing of the Bill. The main objection that had been urged against the Bill was that it was another step towards disestablishing the Church, and the House was asked on this ground to resist a measure which it would otherwise accept. Now, he would remind hon. Gentlemen opposite how often that argument had been employed. The hon. Member for South-West Lancashire, who had brought it forward, would be the last man to desire the exclusion of Dissenters from corporations, yet the repeal of the Test and Corporation Act was strenuously resisted as involving the overthrow of the Church of England. Whenever, indeed, any measure affecting the supposed interests of the Church, but really tending to divert much hostility gathering against her, had been proposed, it had always encountered opposition on that ground. The House ought to consider whether the Bill was a just one; and as to the apprehended consequence, no inconsiderable number of Members supporting it were just as opposed as hon. Gentlemen opposite, to disestablishment. The right hon. Member for Buckinghamshire (Mr. Disraeli) had appealed to both sides of the House to unite against the common enemy, the promoters of infidelity. He (Mr. Bruce) would make a similar appeal on different grounds from those on which the right hon. Gentleman had based his appeal. He (Mr. Bruce) could not but remember that the Church of England lost a great opportunity of conciliation at the time of the Restoration. If the Church of England had then listened to the voice of Lord Falkland, Hales, and Chillingworth, and of leading Protestant champions, as much attached to her as any, many of the evils which had since flowed from a system of exclusion would have been avoided. The spirit of comprehension which animated those men led them to desire liberty on small points for the sake of unity on important points. The Church of England would be far more potent in a league with fellow-Christians against ignorance and infidelity than by keeping up barriers which excited hostility and distrust, and invested it with an invidious character. For the reasons he had given he should support the second reading of the Bill.

SIR STAFFORD NORTHCOTE: Sir, I will not detain the House many moments, because I feel after the interest which has been excited in this Bill and the way in which this debate has been conducted, that it would be most unsatisfactory if we were not able to arrive at a decision to-day. I should not have risen had it not been that I wished to say a few words with reference to the speech of the right hon. Gentleman to which we have just listened. The right hon. Gentleman has said, with very great truth, that setting aside a few expressions which perhaps had been rather the production of heated imagination than anything else, the tone and tenor of this debate have been fair and candid, and that those who have taken part in it have shown a desire to meet the difficulty which has been raised in a spirit of temperate and moderate liberality. The right hon. Gentleman has certainly shown us that he, at all events, has been actuated by this spirit in his remarks, for he has told us very candidly that of the grievances of which he has spoken, two, at all events, are easily to be disposed of, while the third really does not amount to very much. With regard to the first of those grievances, I think the right hon. Gentleman said there was—as there certainly is—a general concurrence of opinion that it would be both desirable and possible to get rid of any difficulty from the supposed necessity of reading the Service of the Church of England over the body of every person buried in the churchyard. I believe all persons agree that from that necessity clergymen ought to be relieved. As to the second point, with regard to unbaptized persons, the right hon. Gentleman says very freely that there is a disposition, as has been manifested by the Report of the Ritual Commission, to endeavour to meet that difficulty; but he failed to point out that this Bill does not meet it at all. The sensational grievance which was put forward with so much energy by the hon. and learned Member for Denbighshire (Mr. Osborne Morgan), is not at all touched by the provisions of this Bill, and if we are to expect a remedy in any other direction than that of the common sense and good feeling of the clergy we must look for it apart from this Bill. Therefore to bring that forward as a reason for supporting the measure appears to me to be a very inconclusive mode of reasoning. Then we come to the third grievance, that Nonconformists cannot have the Funeral Service read over their graves by those with whom they have worshipped in their lives. I think the right hon. Gentleman showed that although such a grievance may exist to a limited degree, it is one which has not very wide extent and will probably die out, for there is a large number of cases in which no objection would be made to the service of the Church being read over a Dissenter, and there are increasing facilities for the burial of Nonconformists in the churchyards or cemeteries where no such difficulty would occur. Therefore, the grievance in the hands of the right hon. Gentleman has already been reduced almost to a minimum. Nobody denies that there is a possible grievance in particular cases, and we cannot fail to see that it is desirable to remedy any grievance as far as practicable; but it is clear that the grievances have been exceedingly exaggerated and that the most important of them are not touched by this Bill. If that is the case, what are the objections to the passing of the Bill? The right hon. Gentleman says we must set aside the question of disorder. I do not know that it is quite reasonable to do so, for we are not certain there will be no inconvenience on that account, but we do not lay stress upon it. With regard to the latter point, however, mentioned by the right hon. Gentleman, undoubtedly he does touch the real grievance of the case. The difficulty in dealing with this case is not so much what is in this Bill as what lies behind it. There can be no doubt that the question which alarms a large proportion of the Churchmen of this country is not what they see in the Bill itself as what they believe it must lead to. As my right hon. Friend (Mr. Disraeli) very plainly and powerfully put the matter in the beginning of this debate—the question is—how are you going to draw the distinction between the Church and the churchyard? How are you going to admit, as a matter of right, the Nonconformists into the churchyard and exclude them from the church? How, in fact, are you going to maintain the principle of a National Church, if you make this considerable breach in the system? We are told that this sort of argument has been raised with regard to other measures; but I am not quite sure that in some cases it has not been a sound argument, and that the success of similar measures has not induced further attack. But, putting that aside, let us consider the question as it has been treated by the advocates of this measure. Admitting that the grievance is practically a very small one, and that the cases brought forward and magnified may be dealt with by good sense rather than by an alteration of the law, how are we to explain the very great heat and earnestness with which this measure is pressed? Why, we know that those who are pressing it are doing so, not to get relief for a few persons, but to obtain for the Nonconformist Body generally, a position of what they call Religious Equality in this matter. If this was spoken of as a case of intolerance, I suppose its antithesis would be toleration; but if anybody got up on this side and said—"We are ready to extend toleration to the Nonconformists," with what sort of a reception would he meet? The great body of Nonconformists in this House, and out of it, hold language for which I respect them; but it shows what their scheme is, for they scout the idea of toleration; and say that they want to be put on an equal footing with Churchmen in respect of their use of what they call the National Churches and National Churchyards. I would remind hon. Gentlemen of the tone and tenor of the resolutions passed with regard to this particular Bill by the great Conference of Nonconformists held at the beginning of last year. One distinguished member of that Conference said Nonconformists would accept no compromise of their cherished principles and undoubted rights, and declared that the disestablishment of the Irish Church was an anomaly unless it were followed by the "disestablishment of the Church of England and Wales." Can you be surprised, after such plain speaking on the part of those from whom this movement proceeds, if we decline to look at your Bill as a mere attempt to grapple with an isolated grievance, and ask whether this is not a step in a direction which you have a perfect right to invite us to take, but which we are equally bound to refuse? If you say—"Give up the outwork, which is untenable, for the sake of preserving the citadel," we have a right to reply—"Knowing that you aim at the citadel we refuse to give you admission into the outwork." I am reluctant to trespass upon the time of the House, because I feel the importance of our dividing to-day; but I could not help saying this much, in order that there may be no mistake about the issue on which we are going to divide. This is not a question of intolerance, or of the grievance of particular individuals, or of whether a clergyman has acted in an unfeeling and unkind manner; but of whether we are to maintain the position in which we stand with regard to the National Church, and to the privileges and rights of Churchmen.

SIR HERBERT CROFT said, he had in his hand a Petition from Dissenters and others, praying the House to reject the Bill. These were men who had lived in the same parish for centuries [*Laughter.*] Well, they were men whose families had lived in the parish for centuries, and their honoured dead lay in the parish churchyard.—

"Beneath those rugged elms,
. . . .
The rude forefathers of the hamlet sleep."

He did not wish to keep the Dissenters out of the churchyards, but on the contrary, agreed with the clergyman of whom the story was told the other day, that when asked whether he would bury a Dissenter in his parish, replied —"Bless you, I should like to bury them all." He wanted to know how many on the Treasury Bench, which contained some very religious men, were going to vote? He knew the Prime Minister was; but was the right hon. Gentleman the Postmaster General? A rumour was afloat in the Lobby the other day that the right hon. Gentleman wanted to speak on the Irish University Bill, but would not be allowed. ["Question."] The question was how the right hon. Gentleman wanted to vote. How was that hon. Gentleman going to vote who — the wit of the House — (Mr. Osborne) the other day said looked like a Nonconformist? And how would the Under Secretary for the Colonies give his vote, because he had said the other day that he had re-considered the Bill, and did not intend to vote for it. He supposed all the rank and file of the Liberal party intended to support the Bill; but he would venture to give them *Punch's* advice, and say, in a friendly way—"Don't." He had come up from the country that morning, and he could tell the Liberal party this, that if they supported this Bill the Liberal Churchmen would oppose them at the next Election. He wanted to say one word on behalf of the Church. He entirely denied the truth of the statement of the hon. and learned Gentleman who had moved the second reading of the Bill (Mr. Osborne Morgan), when he said that the Broad Church clergy liked it. He never met a clergyman who did like it. At the same time, he admitted that something should be done. He never met a clergyman who refused to allow him to vote for the Bill that passed in "another place." They said something must be done, and they were willing to accede to silent burying. He knew a man of the highest character and intellect who said that if the Bill was passed, the cross he should have to bear would be too heavy for him. [*Laughter.*] He did not see what there was to laugh at in that. Well, this clergyman said he should have to resign his living and leave the Church. That was the opinion of a very honest rural dean. The question of cemeteries had been raised. He knew something about cemeteries. He had sat next to an hon. and Liberal Member on the Thanksgiving Day who had said to him—"What dogs in the manger those Dissenters are. When we give them cemeteries they won't use them. My respected father was one of the proprietors of Norwood Cemetery, and we have always had good dividends out of it. When Bishop Sumner consecrated it the Dissenters claimed a piece of ground, and we gave it up to them. They have not buried more than six people there, and yet, although we can't purchase any more land, they refuse to let us have theirs at any price, and the consequence is the whole place will be done for in 10 years." Who were the authors of this Bill? Not the Nonconformist Body generally. He would tell the House. It emanated from *The Nonconformist* newspaper, and was drawn up by the hon. and learned Gentleman who moved the second reading, by the hon. Member for Bradford (Mr. Miall), and the printer's devil. That poor devil had had a hard time of it lately in assisting to get up Petitions in favour of this Bill. Why, the only man whose signature he did not see to the Petition he held in his hand was a Dissenter in his parish who took in *The Nonconformist.* He asked the House to reject the Bill. He did not believe hon. Gentlemen opposite knew the opinions of their constituents on it. Let them recollect that there would have to be a General Election between this time and the 10th of December, 1875, and this Division List would be carefully scanned by Liberal Churchmen with a view to see how their representatives gave their votes.

MR. OSBORNE MORGAN, in reply, referred to a matter of which notice had been taken by preceding speakers, and regretted that he had been misled by a paragraph in a newspaper which he had not seen contradicted, to make a statement which was incorrect. The right hon. Member for Buckinghamshire (Mr. Disraeli) had objected to the Bill on this ground, among others, that an undue advantage was given by it to Dissenters over Churchmen. But such an advantage had never been intended by him, and was entirely owing to the suggestion of the hon. Member for Cambridge University (Mr. B. Hope) and the hon. Member for Boston (Mr. Collins). What the Nonconformists said then and now was that as long as Churchmen retained the exclusive right to the churchyard, so long they were bound to pay for it. The right hon. Gentleman the Member for Devonshire (Sir Stafford Northcote) argued that if the House passed the Bill they would make such a breach in the walls that the Church itself would be injured. All he would say to that was this, that the Church of England had good reason to pray to be delivered from such championship.

MR. NEWDEGATE: I should not have troubled the House but for an allusion of the hon. and learned Gentleman, the Mover of the Bill, directly and personally to myself. He said that I and the members of the Orange Societies would be horrified at the idea of being buried by a Roman Catholic priest, and the hon. and learned Gentleman used this as an illustration of the horror, which a Baptist or a Wesleyan must feel at the idea of being buried by a clergyman of the Church of England. I represent many Wesleyans. I know many Baptists. I represent many Wesleyans and many Baptists; and I know that a great number of them feel no horror at the idea of being buried by clergymen of the Church of England. I cannot answer for what might be the feelings of the Orangemen in the case supposed by the hon. and learned Member; but I can answer for myself. I have no wish to be buried before my time in due course of nature; but I certainly had much rather be buried by a Roman Catholic priest than be baptised by a Roman Catholic priest; and it appears to me from the association in which the hon. and learned Member finds himself from the character of those whom I see surrounding the hon. and learned Gentleman, that he is much more likely to be baptised by a Roman Catholic priest than I am. I have observed the anxiety which the hon. and learned Member (Mr. Serjeant Sherlock) who sits next to the hon. and learned Member has manifested for the success of this Bill. He is a Roman Catholic. There has been an unusual activity among the Roman Catholic members from Ireland to-day, and this makes me imagine that they contribute largely to the impetus brought to bear in support of measures of this kind, an impetus which Her Majesty's Government seem unable to control; I believe that this impetus, although the front of the battle is held by a Churchman, nominally representing Dissenters, is chiefly attributable to the exertions of the Roman Catholic Members of the House. The right of using the churchyard is held, not only by the clergy, but by the laity of the Church of England, in trust for the common use of all the inhabitants of each parish, who may choose to avail themselves of it. This property is identified as belonging to the Church of England by the services, which are to be performed therein. The Church of England can only be recognized, whether in her *personnel* or in her property, by her services. These services are enacted by law, and form part of the title of the Church to her property. I rejoice that the services of the Church are regulated by statute; I rejoice that they exist by law, since this fact constitutes the security to us, the laity, that the Church shall be kept tolerant. The House has before it a proposal to invade this property, to change its conditions, to alter, to abrogate the title under which it is held. Why? Is the answer to be simply—Because it is held by law? Take another case. As the House is aware, there are numerous Conventual and Monastic Institutions growing up in this country, and holding property in defiance of the law. Everyone knows that monasteries are forbidden by the laws of this country, and it was asserted by Roman Catholic witnesses, who were examined before the Select Committee of this House in 1870, that the property held by convents is likewise held contrary to law; and yet this House shrinks from every inquiry into the existence of this property, far more from dealing with it in any way, while in cases of property held in accordance with the law the House has not scrupled to invade the title, by which it is held, and change its appropriation. This is not a solitary instance, this case of the Church of England. There are the Endowed Schools. You have broken up the title of every one of them; so with railway property. There is a Bill before the House to break up the title to railway property. How far, how much farther, I ask is the Liberal majority of this House about to proceed in this course? This course of disturbing every title, which has a legal sanction, whilst the House abstains from even inquiring into the possession of property, which is notoriously held contrary to law. I wish to put that matter as simply before the House as I can; and, in doing so, I thank the right hon. Gentleman the Member for Buckinghamshire for his able speech. I am able to confirm the statements he has made with respect to the Nonconformist burial grounds. Some years ago Sir William Jolliffe, then a Member of this House, carried an Act with respect to the Registration of Burials. I moved for Returns under that Act. The order for these Returns has, however, never been complied with fully, but imperfect Returns have been given. These Returns, however, imperfect as they are, bear out the statements of the right hon. Gentleman with regard to the number of burial grounds belonging to the Nonconformists. I am, therefore, in a position to confirm the statement of the right hon. Gentleman, when he says that this House is proceeding upon a supposed grievance, the extent of which they have no means of measuring by authentic information.

Mr. Serjeant SHERLOCK said, that as the hon. Member for North Warwickshire (Mr. Newdegate) had made a personal allusion to him, he wished to remark, with the utmost candour, that if he thought this was an aggressive measure aimed at the demolition of the Established Church in England he should not give it his support. When the measure of the hon. Member for Bradford (Mr. Miall) for the disestablishment of that institution was before the House, he voted against it. He did so in the conscientious belief that the Church of England was in an entirely different position from that formerly occupied by the Church of Ireland. The present measure, so far from being aggressive, had been studiously prepared to meet as far as possible the objections urged during the last three or four years against previous measures on the subject. In particular the 6th clause emphatically declared that no person should have a right of burial under the Bill who did not possess such a right at present. The whole question, therefore, was whether the Funeral Service was to be performed by the representative of the religion professed by the deceased person. This has been done in Ireland ever since 1824, and if the same concession were made in this country it would doubtless be attended with the same good results.

Colonel BERESFORD, who spoke amid loud calls for a division, was understood to say that in the borough which he represented (Southwark) there were many Dissenters, but that no grievance was felt to exist which called for the enactment of this measure.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 280; Noes 217: Majority 63.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday.*

AYES.

Adair, H. E.
Adam, W. P.
Agar-Ellis, hn. L. G. F.
Allen, W. S.
Anderson, G.
Anstruther, Sir R.
Antrobus, Sir E.
Armitstead, G.
Ayrton, rt. hon. A. S.
Aytoun, R. S.
Backhouse, E.
Baines, E.
Baker, R. B. W.
Balfour, Sir G.
Barclay, A. C.
Barclay, J. W.
Bass, A.
Bass, M. T.
Bassett, F.
Baxter, rt. hon. W. E.
Bazley, Sir T.
Beaumont, Major F.
Beaumont, H. F.
Beaumont, S. A.
Beaumont, W. B.
Biddulph, M.
Blennerhassett, R. P.
Blennerhassett, Sir R.
Bolckow, H. W. F.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowmont, Marquess of
Bowring, E. A.
Brand, H. R.
Brewer, Dr.
Bright, rt. hon. J.
Bright, J. (Manchester)
Brinckman, Captain
Bristowe, S. B.
Brogden, A.
Brown, A. H.
Browne, G. E.
Bruce, Lord C.
Bruce, rt. hon. Lord E.
Bruce, rt. hon. H. A.
Buckley, N.
Buller, Sir E. M.
Bury, Viscount
Cadogan, hon. F. W.
Callan, P.
Campbell-Bannerman, H.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hn. Cap. W.
Carter, R. M.
Cartwright, W. C.
Cavendish, Lord F. C.
Chadwick, D.
Chambers, Sir T.
Childers, rt. hon. H.
Cholmeley, Captain
Clay, J.
Clifford, C. C.
Colebrooke, Sir T. E.
Coleridge, Sir J. D.
Colman, J. J.
Corrigan, Sir D.
Cowper, hon. H. F.
Cowper-Temple, right hon. W.
Craufurd, E. H. J.
Crawford, R. W.
Cunliffe, Sir R. A.
Dalglish, R.
Dalway, M. R.
Davies, R.
Dease, E.
Delahunty, J.
Dent, J. D.
Dickinson, S. S.
Dilke, Sir C. W.
Dillwyn, L. L.
Dixon, G.
Dodds, J.
Dodson, rt. hon. J. G.
Downing, M'C.
Duff, M. E. G.
Duff, R. W.
Edwards, H.
Egerton, Admiral hn. F.
Ellice, E.
Enfield, Viscount
Erskine, Admiral J. E.
Esmonde, Sir J.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Finnie, W.
FitzGerald, right hon. Lord O. A.
Fletcher, I.
Fordyce, W. D.
Forster, rt. hon. W. E.
Forster, C.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Fothergill, R.
Fowler, W.
Gavin, Major
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, hon. G. G.
Goldsmid, Sir F.
Goschen, rt. hon. G. J.
Gower, hon. E. F. L.
Graham, W.
Grant, Colonel hon. J.
Greville, hon. Captain
Greville-Nugent, hon. G. F.
Grieve, J. J.
Grosvenor, hon. N.
Grove, T. F.
Hadfield, G.
Hamilton, Lord C.
Hamilton, J. G. C.
Harcourt, W. G. G. V. V.
Harris, J. D.
Hartington, Marq. of
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Henry, M.
Herbert, hon. A. E. W.
Herbert, H. A.
Heron, D. C.
Hibbert, J. T.
Hoare, Sir H. A.
Hodgkinson, G.
Hodgson, K. D.
Holland, S.
Holms, J.
Horsman, rt. hon. E.
Hoskyns, C. Wren-
Howard, hon. C. W. G
Howard, J.
Hughes, T.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Illingworth, A.
James, H.
Jessel, Sir G.
Johnston, A.
Johnstone, Sir H.
Kay-Shuttleworth, U. J.
Kensington, Lord
King, hon. P. J. L.
Kinnaird, hon. A. F.
Knox, hon. Colonel S.

Laing, S.
Lambert, N. G.
Lancaster, J.
Lawrence, Sir J. C.
Lawrence, W.
Lea, T.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lewis, C. E.
Lewis, H.
Lewis, J. D.
Lloyd, Sir T. D.
Locke, J.
Lowe, rt. hon. R.
Lush, Dr.
Lusk, A.
Lyttelton, hon. C. G.
Mackintosh, E. W.
M'Arthur, W.
M'Clure, T.
M'Combie, W.
M'Lagan, P.
M'Laren, D.
M'Mahon, P.
Martin, P. W.
Massey, rt. hon. W. N.
Matheson, A.
Maxwell, W. H.
Melly, G.
Merry, J.
Miall, E.
Milbank, F. A.
Miller, J.
Mitchell, T. A.
Monk, C. J.
Monsell, rt. hon. W.
Morley, S.
Morrison, W.
Mundella, A. J.
Muntz, P. H.
Norwood, C. M.
O'Brien, Sir P.
O'Conor Don, The
Ogilvy, Sir J.
Onslow, G.
O'Reilly-Dease, M.
O'Reilly, M. W.
Osborne, R.
Otway, A. J.
Palmer, J. H.
Parker, C. S.
Parry, L. Jones-
Pease, J. W.
Peel, A. W.
Pelham, Lord
Pender, J.
Philips, R. N.
Playfair, L.
Potter, E.
Potter, T. B.
Power, J. T.
Price, W. E.
Price, W. P.
Ramsden, Sir J. W.
Rathbone, W.
Redmond, W. A.
Reed, C.
Richard, H.
Richards, E. M.
Roden, W. S.
Rothschild, N. M. de
Russell, Lord A.
Russell, Sir W.
Rylands, P.
St. Aubyn, Sir J.
Samuda, J. D'A.
Sartoris, E. J.
Seely, C. (Lincoln)
Shaw, R.
Sheridan, H. B.
Sherlock, D.
Sherriff, A. C.
Simon, Mr. Serjeant
Sinclair, Sir J. G. T.
Smith, E.
Smith, J. B.
Stacpoole, W.
Stansfeld, rt. hon. J.
Stapleton, J.
Stepney, Sir J.
Stevenson, J. C.
Stone, W. H.
Storks, rt. hn. Sir H. K.
Strutt, hon. H.
Stuart, Colonel
Synan, E. J.
Taylor, P. A.
Tollemache, hon. F. J.
Torrens, Sir R. R.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Trelawny, Sir J. S.
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Walter, J.
Wedderburn, Sir D.
Weguelin, T. M.
West, H. W.
Whatman, J.
Whitbread, S.
White, hon. Col. C.
White, J.
Williams, W.
Williamson, Sir H.
Willyams, E. W. B.
Wingfield, Sir C.
Winterbotham, H. S. P.
Woods, H.
Young, A. W.

TELLERS.

Fitzmaurice, Lord E.
Morgan, O.

NOES.

Adderley, rt. hn. Sir C.
Akroyd, E.
Allen, Major
Amphlett, R. P.
Annesley, hon. Col. H.
Arbuthnot, Major G.
Arkwright, A. P.
Arkwright, R.
Assheton, R.
Baggallay, Sir R.
Bagge, Sir W.
Bailey, Sir J. R.
Ball, rt. hon. J. T.
Barnett, H.
Barrington, Viscount
Barttelot, Colonel
Bates, E.
Beach, Sir M. Hicks-
Beach, W. W. B.
Bective, Earl of
Bentinck, G. C.
Bentinck, G. W. P.
Beresford, Colonel M.
Bingham, Lord
Birley, H.
Bourke, hon. R.
Bourne, Colonel
Bright, R.
Brise, Colonel R.
Broadley, W. H. H.
Bruen, H.
Burrell, Sir P.
Buxton, Sir R. J.
Cartwright, F.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Chaplin, H.
Charley, W. T.
Child, Sir S.
Clive, Col. hon. G. W.
Clowes, S. W.
Cobbett, J. M.
Cochrane, A.D.W.R.B.
Cole, Col. hon. H. A.
Collins, T.
Corbett, Colonel
Corrance, F. S.
Croft, Sir H. G. D.
Cross, R. A.
Cubitt, G.
Damer, Capt. Dawson-
Davenport, W. B.
Denison, C. B.
Dick, F.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Duncombe, hon. Col.
Du Pre, C. G.
Dyott, Colonel R.
Eastwick, E. B.
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, hon. W.
Elliot, G.
Elphinstone, Sir J. D. H.
Feilden, H. M.
Fellowes, E.
Fielden, J.
Figgins, J.
Finch, G. H.
Floyer, J.
Forester, rt. hon. Gen.
Foster, W. H.
Fowler, R. N.
Galway, Viscount
Gilpin, Colonel
Goldney, G.
Gooch, Sir D.
Gore, J. R. O.
Gore, W. R. O.
Gray, Colonel
Greene, E.
Gregory, G. B.
Hambro, C.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hamilton, I. T.
Hardy, rt. hon. G.
Hardy, J.
Hardy, J. S.
Hay, Sir J. C. D.
Henley, rt. hon. J. W.
Henry, J. S.
Herbert, rt. hon. Gen. Sir P.
Hermon, E.
Hervey, Lord A. H. C.
Heygate, W. U.
Hick, J.
Hill, A. S.
Hodgson, W. N.
Hogg, J. M.
Holmesdale, Viscount
Holt, J. M.
Hood, Captain hon. A. W. A. N.
Hope, A. J. B. B.
Hornby, E. K.
Hunt, rt. hon. G. W.
Jackson, R. W.
Jenkinson, Sir G. S.
Jervis, Colonel
Jones, J.
Kennaway, Sir J. H.
Knightley, Sir R.
Lacon, Sir E. H. K.
Laird, J.
Langton, W. G.
Laslett, W.
Learmonth, A.
Legh, W. J.
Leigh, E.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, J.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Lopes, Sir M.
Lowther, hon. W.
Lowther, J.
Mahon, Viscount
Manners, rt. hn. Lord J.
Manners, Lord G. J.
March, Earl of
Mellor, T. W.
Milles, hon. G. W.
Mills, Sir C. H.
Mitford, W. T.
Monckton, hon. G.
Monckton, F.
Montagu, rt. hn. Lord R.
Morgan, hon. Major
Morgan, C. O.
Mowbray, rt. hon. J. R.
Muncaster, Lord
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Nicholson, W.
North, Colonel
Northcote, rt. hon. Sir S. H.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.

Parker, Lieut.-Col. W.
Patten, rt. hon. Col. W.
Peek, H. W.
Pell, A.
Pemberton, E. L.
Phipps, C. P.
Plunket, hon. D. R.
Powell, F. S.
Powell, W.
Raikes, H. C.
Read, C. S.
Ridley, M. W.
Round, J.
Royston, Viscount
Salt, T.
Sclater-Booth, G.
Scott, Lord H. J. M. D.
Scourfield, J. H.
Selwin - Ibbetson, Sir H. J.
Shirley, S. E.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, R.
Smith, S. G.
Smith, W. H.
Stanhope, W. T. W. S.
Stanley, hon. F.
Starkie, J. P. C.
Steere, L.
Straight, D.
Sturt, H. G.
Sturt, Lieut.-Col. N.
Sykes, C.
Talbot, hon. Captain
Talbot, J. G.
Tipping, W.
Tollemache, Maj. W. F.
Tomline, G.
Torr, J.
Trevor, Lord A. E. Hill-
Turner, C.
Turnor, E.
Wallace, Sir R.
Walpole, hon. F.
Walpole, rt. hon. S. H.
Walsh, hon. A.
Waterhouse, S.
Watney, J.
Welby, W. E.
Wells, E.
Wethered, T. O.
Wharton, J. L.
Wheelhouse, W. S. J.
Williams, Sir F. M.
Wilmot, Sir H.
Wise, H. C.
Wyndham, hon. P.
Wynn, C. W. W.
Wynn, Sir W. W.
Yarmouth, Earl of
Yorke, J. R.

TELLERS.

Dyke, W. H.
Winn, R.

MARINE MUTINY BILL.

On Motion of Mr. Bonham-Carter, Bill for the regulation of Her Majesty's Royal Marine Forces while on shore, *ordered* to be brought in by Mr. Bonham-Carter, Mr. Goschen, and Mr. Shaw Lefevre.

EAST INDIA COMPANY'S STOCK (REDEMPTION OF DIVIDEND) BILL.

Resolution *reported;*

"That it is expedient to make provision for the redemption of the Dividend on the Capital Stock of the East India Company, on or after the 30th day of April 1874, as authorised by the Act of the 3rd and 4th William the Fourth, chapter eighty-five."

Resolution *agreed to.*

Ordered, That Mr. Speaker do give notice in writing, pursuant to the Act of the 3rd and 4th William the Fourth, chapter 85, section 12, to the East India Company, that it is the intention of Parliament to redeem the Dividend upon their Capital Stock, in the manner prescribed by the said Act, upon the 30th day of April 1874.

Bill *ordered* to be brought in by Mr. Grant Duff and Mr. Ayrton.

Bill *presented,* and read the first time. [Bill 102.]

EAST INDIA (LOAN) BILL.

Resolution *reported;*

"That it is expedient to enable the Secretary of State in Council of India to raise a sum, not exceeding £8,000,000, in the United Kingdom, for the service of the Government of India, on the credit of the Revenues of India."

Resolution *agreed to:* — Bill *ordered* to be brought in by Mr. Grant Duff and Mr. Ayrton.

Bill *presented,* and read the first time. [Bill 103.]

MATRIMONIAL CAUSES ACTS AMENDMENT BILL.

On Motion of Mr. Attorney General, Bill to extend to Suits for nullity of Marriage the Law with respect to the Intervention of Her Majesty's Proctor and others in Suits in England for dissolving Marriages, *ordered* to be brought in by Mr. Attorney General and Mr. Solicitor General.

Bill *presented,* and read the first time. [Bill 101.]

ROCK OF CASHEL BILL.

On Motion of Mr. Heron, Bill to provide facilities for vesting the Rock of Cashel in Trustees, *ordered* to be brought in by Mr. Heron, Sir John Esmonde, Sir Colman O'Loghlen, Colonel White, and Sir John Gray.

Bill *presented,* and read the first time. [Bill 104.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 27th March, 1873.

MINUTES.]—Public Bills—*First Reading*—Registration of Births and Deaths * (49).

Committee — *Report* — Bastardy Laws Amendment (*on re-comm.*) * (44-50).

Report—Poor Allotments Management * (43).

Third Reading—Victoria Embankment (Somerset House) * (28); Epping Forest * (19), and *passed.*

Their Lordships met;—

REGISTRATION OF BIRTHS AND DEATHS BILL [H.L.]

A Bill to amend the Acts relating to the Registration of Births and Deaths in England, and to consolidate the law respecting the Registration of Births and Deaths at Sea—Was *presented* by The Earl of Morley; read 1ª. (No. 49.)

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 27th March, 1873.

MINUTES.] — Public Bills — *Resolution in Committee*—*Ordered*—*First Reading*—Australasian Colonies (Customs Duties) * [106].

Ordered—*First Reading*—Conveyancing (Scotland) * [108]; Metropolitan Commons Supplemental * [107].

First Reading—Marine Mutiny *.
Second Reading—Income Tax Assessment * [98].
Committee—Report—(£9,317,346 19*s*. 9*d*.) Consolidated Fund *; Register for Parliamentary and Municipal Electors * [66-105]; Mutiny *; Turks and Caicos Islands * [87]; Endowed Schools Address * [94].
Considered as amended—Public Worship Facilities * [100].

SPAIN.—QUESTION.

MR. P. A. TAYLOR asked the Under Secretary of State for Foreign Affairs, If he will state the precise grounds on which Her Majesty's Government declined to recognize the Spanish Republic as established by the vote of the Cortes?

VISCOUNT ENFIELD: Sir, Her Majesty's Government cannot recognize the present Government in Spain as otherwise than provisional. A Constituent Cortes will, however, be convoked to pronounce upon the form of Government to be adopted. Pending the deliberations and decisions of the Assembly, Her Majesty's Government will simply follow the precedent that was followed in the case of the Governments that provisionally succeeded the ex-Queen Isabella, the late ex-King Louis Philippe, and the ex-Emperor Louis Napoleon. Even had it been decided to precipitate the recognition of the present Government, it does not appear to whom Her Majesty's Minister at Madrid should be properly accredited, or from whom he could receive his credentials.

THE SANDWICH ISLANDS.
QUESTION.

MR. SALT asked the Under Secretary of State for Foreign Affairs, Whether information has been received that the United States are about to obtain an important harbour and coaling station in the Sandwich Islands; and, whether any efforts are being made to secure similar advantages for this Country?

VISCOUNT ENFIELD: Sir, it appearfrom the reports received from the acts ing Commissioner at Honolulu that there is a party in the Sandwich Islands favourable to the cession of Pearl River to the United States in exchange for the concession of certain commercial advantages. This party consists of members of the mercantile community. The King is stated to be favourable to granting a lease of the harbour, but nothing definite has as yet been done on this subject. I do not believe Her Majesty's Government contemplate taking any similar steps.

TRADES' UNIONS—THE AMALGAMATED SOCIETY OF ENGINEERS.
QUESTION.

MR. HEADLAM asked Mr. Attorney General, Whether his attention has been directed to a case recently decided by the County Court Judge at Newcastle upon Tyne, where the plaintiff, a working engineer, brought an action against the Amalgamated Society of Engineers, alleging that after subscribing for twenty-one years, according to the rules of the Society, he was denied the privileges to which by the same rules he was entitled in respect of his subscription; whereupon the counsel for the Amalgamated Engineers' Society, having met the case by a statement that the Society was not registered, and that in consequence there was no remedy whatever at law for such a grievance, the plaintiff was non-suited; and, whether, assuming that the case was rightly decided, he will be prepared to introduce a Bill to render such Societies as the Amalgamated Society of Engineers liable at law for the non-fulfilment of their engagements?

THE ATTORNEY GENERAL: Sir, my right hon. Friend will not feel offended at me if I say it is rather a bad precedent to ask the Attorney General for an opinion on a question arising in a private law suit. It is my duty to advise the Government, and also the House of Commons on any matter which may arise before them, and upon which my opinion may be required; but it is not my duty to give opinions upon matters between parties, and especially when the question involves my giving an opinion whether a Judge has or has not decided according to law. Now, if I were disposed to give an opinion on this case, the materials supplied would not enable me to do so. Assuming the Judge decided rightly, I am asked whether I am prepared to propose an alteration of the law of partnership. I am certainly not. The Judge decided, rightly or wrongly, that the association in question was a partnership, and he decided that on a most elementary principle. These associations may be registered as friendly societies, benefit societies, or as Trades' Unions under three separate Acts of Parliament, and it could be easily ascertained whether they were registered or not, and if they are so registered those who contribute to them have abundant protection. If, however, societies choose for their own purposes not to register, and if persons choose to join unregistered societies, they do so at their peril. I am certainly not prepared to propose an alteration of the law of partnership in favour of persons who join unregistered societies with their eyes open.

METROPOLIS—THE PRICE OF GAS.

QUESTION.

SIR CHARLES W. DILKE asked the President of the Board of Trade, Whether, looking to the excitement which at present prevails in the Metropolis on the subject of the price of Gas, there is any objection to printing the accounts of the Metropolitan Gas Companies for the year 1872 at once instead of at the end of the Session of Parliament?

MR. CHICHESTER FORTESCUE: I am not able, Sir, at once to have the accounts of the Metropolitan Gas Companies printed, because they have not yet been received, the meetings of the companies not having been held; but I believe they will soon be presented, and that I shall be able to lay the Return before Parliament at an earlier period than usual.

ARMY—CHELSEA HOSPITAL PENSIONERS.—QUESTION.

SIR LAWRENCE PALK asked the Secretary of State for War, If he would state to the House why no steps have been taken since the Royal Commission of 1870 to ascertain the wishes of the pensioners of Chelsea Hospital to remain or to leave; whether it is true that a pensioner of the name of Kirk, belonging to the left wing of the hospital, has been sent for seven days to confinement for sharing his regulation loaf with his wife, aged seventy-two; and, whether there is any sergeant in Chelsea Hospital who had been removed from Millbank for too great severity to the prisoners under his charge there?

MR. CARDWELL: Sir, the inquiry of 1870 was conducted, not by a Royal Commission, but by a Departmental Committee. It did not recommend, as the hon. Baronet seemed to suppose, that any steps should be taken to ascertain the wishes of the pensioners to remain or to leave. No married or in-pensioner is required to remain in the institution. Resumption of out-pension at any time is freely allowed. The pensioners are fully aware of this privilege, and a few avail themselves of it every year. I am informed that no pensioner named Kirk has been punished for sharing his regulation loaf with his wife. But a pensioner of that name was confined to the Hospital for seven days for attempting to take away fuel, the property of the Hospital, and to take his food outside at a forbidden hour. Though he had stated on admission that he had no relative dependent on him, he was afterwards allowed a pass to take his food to his wife at the proper hour. No sergeant or other person removed from Millbank for too great severity to prisoners is employed at Chelsea Hospital. The Sergeant of Police was formerly employed at Millbank, but he voluntarily resigned the employment, and left it with a good character.

SPAIN—SALE AND PURCHASE OF ARMS.

QUESTION.

CAPTAIN DAWSON-DAMER asked the Under Secretary of State for Foreign Affairs, Whether the attention of the Government has been drawn to the article in the "Mémorial Diplomatique" as to the purchase of arms by Carlist agents; and, whether they will be prepared to follow the course taken by the French Government, prohibiting the exportation of arms to the Carlist party?

VISCOUNT ENFIELD: I am not aware, Sir, whether any Members of Her Majesty's Government have or have not read the article in *The Mémorial Diplomatique.* I may say for myself that I have not seen it; but I need scarcely remind my hon. and gallant Friend that the sale and purchase of arms in this country cannot be considered as an illegal act, and Her Majesty's Government cannot proceed exceptionally in the present instance.

INDIA—BANDA AND KIRWEE PRIZE MONEY.—QUESTION.

LORD ELCHO asked the Under Secretary of State for India, Whether any sum is now available for distribution on account of the Banda and Kirwee

Booty; and, if so, what is its amount, and when will it be paid; what amount of Treasure was taken in the Begum Kotee (or "Ladies' Palace") at Lucknow, shortly after the capture of that city by Lord Clyde, and what became of it; and whether there is any objection to produce the Official Correspondence which took place in India on the subject of this Booty?

MR. GRANT DUFF: In reply, Sir, to the noble Lord's first Question, I have to say that no sum is now available for distribution on account of the Banda and Kirwee Booty, but it is possible that when the final account, which the Government of India has been instructed to prepare, is sent in, a small sum may be found available for a last distribution. In reply to his second Question, I have to say that the amount of the treasure found in the Ladies' Palace at Lucknow was £14,000; that treasure having been found after the cessation of hostilities was "treasure trove," not prize, and as such the property of the Government, which, however, gave a quarter of it as a reward to the finders. In reply to his third Question, I have to say that there is no objection to produce the Correspondence if the noble Lord likes to move for it.

MERCANTILE MARINE—THE "DRUID." QUESTION.

MR. HAMBRO asked the President of the Board of Trade, If he will state whether he proposes to act on the recommendation of the coroner's jury and the Board of Trade Court of Inquiry, in the case of the "Druid" exploding, whereby two lives were lost, and five seamen dangerously scalded; and if he will bring in a Bill to extend to all steamers the statutory provisions as to surveys now applicable only to passenger steamers; and, whether he proposes to take any steps against the owners, under section 11 of the Merchant Shipping Act of 1871, for not keeping that ship seaworthy?

MR. CHICHESTER FORTESCUE in reply, said, that the case of the *Druid* was a very bad one. The Board of Trade inquiry decided that the explosion was the result of culpable negligence on the part of the owner, but whether the negligence brought him within the Merchant Shipping Act of 1871 he was unable on his own authority to say. He had, however, referred the question to the Home Office to ascertain whether a prosecution would lie against the owners or others under that section of the Act, or in any other way. The question whether all steamers should be surveyed compulsorily as if they were passenger ships was part of a much larger question—namely, whether all ships should be so surveyed, and upon this question he could not be expected to give an answer especially as it was one of the first questions which should be considered by the Royal Commission. To-morrow probably he would be able to communicate the names of the Royal Commissioners and the exact terms of the reference.

SCOTLAND—DUMFRIES—THE ESTATE OF HANNAHFIELD—GRANT BY THE CROWN.—QUESTION.

LORD CLAUD JOHN HAMILTON asked the First Lord of the Treasury, Whether the presentation of the estate of Hannahfield by the Lords of the Treasury to the Magistrates and Sheriffs of Dumfries for the benefit of the inhabitants of that town, as reported in the "Times" of the 24th instant, is substantially correct; and, if so, whether he has any objection to lay the Treasury Minute on the subject upon the Table?

MR. BAXTER: Sir, the statement regarding the gift of the Hannahfield property to the town of Dumfries which appeared in *The Times* of the 24th instant, copied from *The Scotsman*, is substantially correct. The last paragraph of that statement, however, is not sufficiently precise, and might convey an erroneous impression. It is as follows:—

> "The intention of the husband of the late proprietor is said to have been to leave the estate for educational purposes, but he died suddenly before his will was completed."

The fact is that a draft deed which he had caused to be prepared in 1838, about three years before his death, bearing pencil corrections by himself, has been produced. Its main object is, after providing certain legacies to relations and others, to found an educational institution in Dumfries for the benefit of the neighbourhood. The Treasury decision merely gives effect to his expressed intentions. That decision was conveyed in a Treasury letter dated the 18th instant, to the Queen's and Lord Treasurer's Remembrancer in Scotland, which the noble Lord may have if he chooses to move for it.

MERCANTILE MARINE—THE "KNIGHT TEMPLAR."—EXPLANATION.

In reply to Mr. RATHBONE,

MR. CHICHESTER FORTESCUE said, he had learnt since he spoke the other evening that an incorrect piece of information had reached him about this vessel. It appeared that she was not registered in the Liverpool Underwriters' Association, but was registered in the London Lloyd's.

PARLIAMENT—ORDER OF BUSINESS—NAVY ESTIMATES.—QUESTION.

LORD HENRY LENNOX said, he wished to ask the First Lord of the Admiralty a Question with respect to the Navy Estimates. He had privately informed the right hon. Gentleman that, in consequence of an impression that these Estimates would not be brought on until this day week, he had made for to-night an engagement of a public character which the right hon. Gentleman himself admitted it was almost impossible for him to forego. He quite expected from what the right hon. Gentleman said the other night that he would not enter upon any important Votes that evening. Would the right hon. Gentleman give an assurance that none of the important Votes would be brought before the House that night?

MR. GOSCHEN said, that the noble Lord was totally in error. The point was this: The noble Lord had got a Notice on the Paper with regard to the *Devastation*, and there were two other Gentlemen who had Motions on going into Committee of Supply. They were kind enough not to bring those Motions forward on condition that they should have an equally good opportunity of doing so, and, therefore, it was said that on this day week the Navy Estimates should be placed first, when the Motions might come on, but he had no intention not to take any important Votes before Thursday next. The question, therefore, arose whether important Votes were to be postponed because the noble Lord had got an engagement for that evening? He was willing to put off Vote 3, but he could not engage to defer the others.

MR. GLADSTONE moved that the Orders of the Day be postponed until after the first seven Notices of Motion.

LORD HENRY LENNOX inquired after what hour the right hon. Gentleman would not go on with the Votes that night.

MR. GOSCHEN: Not after 11 o'clock.

SIR LAWRENCE PALK said, it certainly appeared to him the other night that the First Lord of the Admiralty did give the House to understand that the Navy Estimates would not be taken that night, but on next Thursday. ["Order."] The right hon. Gentleman himself must be aware that his (Sir Lawrence Palk's) noble Friend had given up his right to speak in order to suit the convenience of the right hon. Gentleman, and though it might not be right that the convenience of the House should be sacrificed to that of an hon. Member, still both sides of the House were deeply concerned in this — that faith should be kept.

MR. GOSCHEN said, the hon. Baronet had misunderstood him, and he would see that the object of the understanding that the Navy Estimates should be taken on Thursday next was that hon. Members who had postponed their Motions should have an opportunity of bringing them forward on that night.

MR. G. BENTINCK said, there appeared to be a series of misunderstandings. He would like, at all events, to be quite clear on one point. He distinctly understood the other night the right hon. Gentleman to say that when he next brought on the Navy Estimates the Committee should be at liberty to enter on the general discussion, in return for having relinquished it at the time to suit the convenience of the Government. He hoped there was no misunderstanding on that point.

MR. GLADSTONE said, that the Government had no power whatever to modify the rules under which discussions in Committee were conducted. The general discussion was certainly waived the other night for the convenience of the Government, and it was understood to be the desire of hon. Members that there should be given an opportunity of resuming the discussion with regard to the general scale on which the Estimates were proposed. The Government were under the belief that the discussion could be raised on the Votes in question, and he trusted that would satisfy the hon. Gentleman.

Sir JOHN HAY said, that what had fallen from the Prime Minister fully bore out the statements of his noble Friend (Lord Henry Lennox) as to what occurred the other night. They understood that the necessities of the public service required that the Vote for men should be taken before the end of the month, and they at once acceded to this proposal. But this showed that the Government did not then anticipate that they would have another day at their disposal before the end of March for further discussion of the Navy Estimates. It was in consequence of that, that Vote 1 was agreed to, on the understanding that the general discussion on the Navy Estimates should be continued on Vote 2, a course justified by former precedents. As the month of April had not yet arrived, he trusted the other Votes would not be taken before then.

Mr. GOSCHEN said, that whether Supply could be brought on to-night would depend upon the length of the discussion which would previously take place.

Motion *agreed to.*

PARLIAMENT—BUSINESS OF THE HOUSE.

MOTION FOR A SELECT COMMITTEE.

Mr. NEWDEGATE: Sir, the Motion which I now venture to make is for the appointment of a Committee to consider certain points connected with the procedure of this House. It will be in the recollection of the right hon. Gentleman the First Lord of the Treasury, and of the House, that I moved this same notice by way of amendment to the Resolution proposed by the hon. Member for Walsall (Mr. C. Forster) on the 25th of February, whereby, had that Resolution been adopted, Parliament would have been convened in November and sat on to Christmas each year. The right hon. Gentleman the First Lord of the Treasury, then accused me of great ingenuity; an accusation which I felt conveyed a high compliment, coming as it did from that right hon. Gentleman. The right hon. Gentleman said that I had managed to put two speeches into one; a speech against the motion of the right hon. Gentleman for Walsall, and a speech in support of my own amendment. I do not see myself how otherwise I could have spoken on that occasion; but the right hon. Gentleman suggested that it would be better if a Committee of the House were moved for on the whole question of Public Business, probably not being aware, or not remembering, that, by the decision of the House against the Amendment made by the hon. Baronet the Member for Essex (Sir Henry Selwin-Ibbetson), at an earlier period of the Session, when the hon. Baronet moved for a Committee on the Despatch of Business, as an Amendment to the Resolution proposed by the Chancellor of the Exchequer, it was not competent to me to raise that question in its fulness again, either by an Amendment or as a substantive Motion. Such, Sir, is the position which I had to meet. The right hon. Gentleman the leader of the House suggested that a Committee should be appointed, and the Notice which I have given goes as far in that direction as I understood from you, Sir, when I privately consulted you, that it is competent to me to move. I therefore ask the House to adopt this Resolution as the only means by which the desire, expressed by many hon. Members of this House, can be accomplished; that desire being that a Committee should be appointed to consider the subjects connected with the procedure of this House, which have on various occasions recently been agitated. On the part of the non-official Members of the House there is a distinct feeling of uneasiness with regard to the position in which they are now placed; and I think that a glance at the Order Book of the House must satisfy every hon. Member that the state of Business is such as must inevitably lead to a dead lock, and that the result of a dead lock can only be the sacrifice of an enormous number of the Bills which have been introduced by hon. Members, and that without, by far the greater part of these Bills, having been considered by the House. But, Sir, the mischief does not stop there. Undoubtedly, among the Bills which have been brought in by hon. Members not connected with the Government, there are some which the House would be very glad to consider; but the state of facts is this. Before I gave this Notice on the 11th of March, I had examined the Order Book, and I found that every Wednesday, the day specially appointed for the consideration and decision of the Orders introduced by non-official Members, was filled by Notices of one or more Orders up to the 16th of July. When I came to inquire at the Public Bill Office on that day, I found that, of the Bills for which leave had been given by the House to non-official Members, not less than 16 were unprinted. Several of those which were not printed at that time have since been printed and delivered to hon. Members; but what is the result? As long as the number of notices of Bills stand on the Book for Wednesdays, there is no probability of any decent number of the Bills introduced by non-official Members going through their subsequent stages. Among the many questions which are involved in the consideration of the present position of the Business of the House, this is one. Ought it to be competent to any hon. Member of the House on the 1st of March to put a Notice down for the 10th or 16th of July? Because if this practice is to prevail, it will become—indeed it is already—perfectly possible so to fill the Notice Paper that the Bills which stand for second reading early in the Session cannot be carried through their subsequent stages, owing to the manner in which every Wednesday is occupied up to the close of the Session. This, then, was the immediate cause of my giving this Notice. The House is aware of the rule with respect to Notices of Motion; no hon. Member can give a Notice of Motion beyond a month from the day on which the Notice is given; this arrangement keeps the Business, so far as notices of Motion are concerned, something within compass; but, with respect to Orders—that is, the notices of Bills—no such rule prevails; and this is one subject which I think a Committee of the House might well inquire into; because, before touching upon any further points connected with the conduct of Business by the Government, I wish the House to consider this, that the opportunities for transacting business which remain to the non-official Members—that is, the great body of the House—have been very greatly contracted. Ever since the Report of the Committee of 1861 was received, and to a considerable extent adopted by the House, step by step the opportunities for the transaction of their legislative business by the great body of the House—that is, by the non-official Members—have been greatly diminished, until, as I think I can show the House, we are approaching a point when the legislative functions of the House will be absolutely delegated to Her Majesty's Ministers for the time being. Such a consummation, Sir, would be totally at variance with the original Constitution of this House; and I am anxious that a Committee should be appointed for the purpose of considering how we, the non-official Members, the great body of the Members of the House, can, by the aid of some regulations adopted by the House, adapt our business to our present straitened position; or to use a familiar phrase, cut our coat according to our very much diminished cloth—that is, how we can get on with the business which, after consultation in a Committee—for arrangement among ourselves seems impossible—may be deemed essential. In other words, how we can fit that business into the restricted hours which remain to us each week. The matter is the more urgent because we are approaching the period when we may expect the right hon. Gentleman at the head of the Government to evoke the Resolutions of 1869, and propose morning sittings; and when once the House has adopted these Resolutions, so that it will meet at 2 o'clock instead of at a quarter to 4, thus beginning sitting in the mornings on other days than Wednesdays; when I say this arrangement has been adopted, the effect of this, taken in conjunction with the rule against proceeding with opposed Business after half-past 12 at night, upon the position of the non-official Members comes to this, that they will only have Tuesday evening from 9 till half-past 12, and a short six hours' sitting on Wednesday, for the purpose of advancing through their several stages, whatever Bills they may have in their charge. In other words, while the House will be sitting fully 60 hours a week, the non-official Members will literally have but 9½ hours for the transaction of the whole of their legislative business. I do not wish, Sir, to make any unreasonable complaints; I make no suggestion of my own; but what I ask is this—that inasmuch as we, the non-official Members of this House, are divided by party, or separated by the floor of this House; and inasmuch as we have not the power of appointing a Committee among ourselves, that this House should itself appoint a Committee, before and in which we may consider these difficulties in which we find ourselves placed, and which may consider any means by which the time remaining to us may be best appropriated. With your permission, Sir, I will advert for a moment to some statistics relating to last Session, in illustration of what I have said. What was the state of things, then, last Session? I find that the total number of Bills introduced into the House of Commons, including Bills brought from the Lords, during the Session of 1872, was 240, of which number 120 were introduced by or on the part of the Government, and 120, the like number, by non-official Members of the House. Of the Bills introduced by Her Majesty's Government, 92 were passed into law, 27 were withdrawn or discharged, and only one rejected on a Division. Therefore, of the Bills introduced by the Government, three-fourths were passed, one-fourth, or nearly one-fourth of these Bills were withdrawn, and only one rejected. Of the 120 Bills introduced by non-official Members of the House only 30 were passed, 47 were withdrawn or discharged, 24 were dropped; that is, in all, 72 were abandoned; 18 were rejected on Divisions, and one was laid aside. Thus, while three-fourths of the Bills introduced by the Government were passed into law, the total number of their Bills being 120, not one-fourth of the 120 Bills introduced by the non-official Members of the House passed into law, and out of the 120 three-fourths were practically laid aside. I do not wish to be in the least unjust to the right hon. Gentleman the leader of this House. I do not blame him for the Government he leads in the least, because the House has placed in the hands of the Government so enormous a proportion of its legislative work, has virtually to this great extent abandoned its legislative duties to the Administration. Lord Palmerston, when he was recommending the House to adopt a Resolution of the Committee on Public Business in 1861, emphatically declared that the legislative functions of this House constituted its primary duty, and that for the discharge of that function, for the due performance of this duty beyond all others, this House was responsible to the country. He (Lord Palmerston) then proceeded to touch upon the importance of the financial duties of this House, and afterwards dwelt with considerable emphasis upon the other functions of the House, to act as the great inquest of the nation, in hearing and seeking to remedy and demanding an account for any grievance that may be felt in any part of the country; but he treated the financial function of the House, and its function with respect to grievances, as subordinate and secondary to its great function, the function of legislation. Well, Sir, it appears to me that no Government ought to desire a monopoly of the legislative power of the House; but suppose it is to be granted further than it has been already granted, what will be the result? Her Majesty's Ministers are not, as the right hon. Gentleman the Chancellor of the Exchequer yesterday—at the Mansion House Banquet—said, they do not constitute merely a Committee of this House. They represent another power. They represent the Executive power of the Crown and of the nation. I should deeply lament if Her Majesty's Ministers came to be considered a mere Committee of this House. I should deprecate any evasion of, or any forfeiture of the peculiar prerogatives and functions of the Crown; but take the case, as I suppose it may become, for the sake of argument that the whole legislative power of this House were in addition to their other functions vested in the Government of the day. By the constitution of the country, the Government of the day must possess the confidence of a majority of this House, and it is therefore inevitable that they must be in this House the representatives of a party. What then would result of their monopolizing the legislative power of this House? The legislation approved by one party would, during the administration or tenure of office of that party be predominant. Then would come reaction, and when that administration leaves office their successors would be found to be their political opponents, and the legislation of this House would be forced into a direction altogether opposite to its former course; thus we should get into that see-saw, which has been found to work so much mischief in the United States of America. It might come to this, that the official Members of the House would be held to be a separate class apart from the other Members of this House; that they were not merely the organs of this House, but they formed an administration, in fact, superior to and therefore irresponsible to Parliament. I think it evident, from the expressions used by the right hon. Gentleman the Chancellor of the Exchequer, upon a recent occasion, that he sees this danger and feels this difficulty; that the leader of the House is practically the organ of a party in this House; that if he became invested with the whole legislative power of this House, he could carry legislation only in one direction, and that thus we should have legislation all in one direction, as emanating from one party during their tenure of office, and that by reaction we should have legislation swaying back again in an opposite direction. I beg pardon of the House for having touched upon this subject, which is a somewhat grave one; at the same time I would that the House should consider that, in watching the progress of changes in the practice and organization of this House, we are watching a great legislative machine, which, now that the House of Lords has practically yielded its independent judgment so often to this House, does in itself possess a supreme legislative power, in other words, has become the supreme legislative power of the State. I cannot see any disorder in this House of which I have been so long a Member, without feeling deep regret. Humble Member as I am, I have never, during the 30 years I have been here, sought any object more anxious than to uphold the credit and character of the House of Commons. I have laboured to this end. I have made sacrifices for it; and I liked not the disorder which characterised the conclusion of the last Session; and it shall not be my fault if, for want of suggestions at all events, however humble may be their source, the House fails to consider its proceedings, with a view to their better regulation. I am unwilling to detain the House, but there are one or two other observations that I wish to make. What is the number of Bills which have been introduced into this House by non-official Members in the present Session? I am afraid it is almost as large as the number introduced last Session. Now the objection to this is that by the introduction of such an enormous number of Bills the non-official Members of this House obstruct each other. In short it becomes a game, not of legislation but of obstruction, and nothing can be more unwholesome than this. It wastes both the time and the energies of the House. I have observed that, since the adoption of the restrictions which recent standing orders have placed on the opportunities for moving Amendments in Supply, the tendency of hon. Members has been to multiply the number of Bills before the House; and I feel convinced, when I see a notice for the second reading of some Bills given at the end of February for the 16th of July following, that that Bill stands there without any hope whatever, on the part of the hon. Member who introduced it, that it can pass into law, but that he merely means to treat it as a kind of Notice of Motion, as a kind of peg upon which to hang a statement or declamation. The more this practice prevails, the more our proceedings must be crippled, and the less capable must the House become of acting, to any degree, independently of the administration of the day in the discharge of its first function, that of legislation. During the last Session there were certain occasions on which the energy of the leader of this House prompted him on Friday night to convene the House unexpectedly to sit on Saturday, and this without notice, save that given the night before. One of the subjects which a Committee might consider is what notice should be given of any proposal to change the hour appointed for the meeting of the House, and what notice should be given of any alteration in the order of business appointed for each day. The object of Committee would be to make suggestions that may be worthy of the consideration of the House, for regulating its Business, and for so economising the time allotted to the great body of this House, the non-official Members, that we may be able to transact the business committed to us in a more orderly, a more expeditious, and a more efficient manner than last Session; for the House should not forget that some of Her Majesty's Judges have expressed many strong opinions with regard to the slovenly manner in which statutes, sent down to them for their guidance, have been passed through Parliament. I trust that I shall be excused for having enlarged upon this subject. I will conclude by expressing a hope that the right hon. Gentleman the head of the Government and leader of the House, will carry out the expectation which I, not without reason, have hopefully entertained, by sanctioning this proposal for the appointment of a Committee of this House to consider those points in the procedure of this House, which are comprised in the Resolution.

Sir HENRY SELWIN-IBBETSON, in seconding the Motion, said, he believed that the general sense of the House was very much in accord with the views of the hon. Member for North Warwickshire (Mr. Newdegate) who had brought forward this Motion. For his own part he agreed in the main with what his hon. Friend had said respecting the limitation during the last two years of the right of private Members to bring forward their Bills. He perhaps did not attach so much importance as the hon. Member to measures initiated by private Members. He was of opinion that the usefulness of private Members depended more on their action in bringing forward Motions on subjects in which their constituents were interested—bringing these Motions forward not, perhaps, with the hope of their resulting in immediate legislation, but with the view of giving a spur to the Government and the House by showing them what the feelings of the constituencies were upon various subjects, and thus paving the way for legislation. But it could not be denied that private Members were very much limited as to their opportunities for action even in that respect, and he quite agreed that it was desirable that something should be done to improve their position. The Business of the House increased from year to year. Tuesday morning sittings were becoming more frequent; the Tuesday night sittings were practically the only times private Members had of bringing forward their Motions; and on Tuesday nights private Members were often counted out. If the power of private Members to raise discussions were a valuable one, the curtailment of it ought to be carefully guarded. He did not think the Motion of the hon. Member for North Warwickshire was sufficient to meet the necessities of the case, for in any change in the mode of conducting the Business of the House, it should be dealt with as a whole and on the broadest possible basis. He was afraid that the terms of the Motion might, unless some facility were given to hon. Members for moving instructions to the Committee, very much limit the scope of the inquiry. He should, therefore, like the inquiry to be enlarged, and certain points which had only been hinted at thoroughly thrashed out. Among these were the appointment of Grand Committees for certain Bills, the alteration of Notices of Motion with private Members' Bills on Wednesdays, which would obviate the temptation to talk out private Members' Bills on that day, and the securing of Fridays to private Members. He thought that the best mode of dealing with the whole Question was to refer it to a Committee, and he trusted the instruction to the Committee would be enlarged so as to secure the consideration of these points.

Motion made, and Question proposed,

"That a Select Committee be appointed to consider the time of the day at which the House should assemble, the hours during which the House can most conveniently sit for the transaction of Public Business, when the Business introduced by Her Majesty's Ministers should have precedence, and what Notice should be given of any proposal to alter the time at which the House will assemble, or the distribution of Business."—(*Mr. Newdegate.*)

Mr. DODSON said, he quite agreed with the hon. Member for North Warwickshire that it was most desirable that the Government should not monopolize too much of the time of the House, whilst he also agreed that it was most desirable that Motions brought forward by private Members should have ample opportunity of being discussed. Discussions of this kind were exceedingly useful. They expressed public opinion from different parts of the country, and discussions in the House helped to form a sound public opinion out-of-doors. It was also desirable that there should be sufficient time for the consideration of the principal Bills of private Members when introduced. He could not, however, agree with the hon. Member in thinking it desirable that the Bills introduced by private Members should be greatly multiplied.

Mr. NEWDEGATE: The right hon. Gentleman has quite misunderstood me. I deprecated the number being increased.

Mr. DODSON was glad to hear the hon. Member say so. But the hon. Member, while deprecating the lack of time for the due consideration of the

Bills of private Members, used a curious illustration, for he referred to the comments of Judges on the vagueness of certain Acts which he complained had been hurried through the House, and it so happened that they were Government and not private Members' measures. A Notice which had been put on the Paper by the right hon. Member for Northamptonshire (Mr. Hunt) seemed to offer a short cut to the end the hon. Member for North Warwickshire desired to obtain. The effect of it would be to give Fridays to private Members; and if they had Tuesdays, Wednesdays, and Fridays—three days out of five—it would be as much as could possibly be accorded them. The House would dispose of that Motion after discussion, and without the intervention of a Committee, and the new rule could come into effect during the present Session. He (Mr. Dodson) had before suggested that the Business of Tuesdays and Wednesdays should be transposed; that Orders of the Day should stand first on Tuesdays, and Motions on Wednesdays. Private Members' Bills would not then be exposed to their present risk on Wednesdays of being "talked out;" but they would run the risk of their Bills on Tuesdays being counted out. If a Bill attracted so little interest that 40 Members would not be found willing to come down to support it, the probability was that it had better be counted out. This arrangement and the making Friday a Motion night would give more time to private Members, and might facilitate the passing of their Bills, and both these were among the objects which the hon. Member had in view. Neither of them, however, would come within the terms of reference of the hon. Gentleman's Motion, which applied only to hours, and not to the nature of Business. As far as he was concerned he had very little hope of any good resulting from the appointment of another Committee. A great number of Committees had already sat, and if the hon. Gentleman wanted the recommendation of a Committee there were numberless recommendations lying in the library which he might take up. He believed that the Committee now proposed would be of less use than any of them, and he thought the object of the hon. Member for North Warwickshire would be better attained by the proposition of the right hon. Member for Northamptonshire (Mr. Hunt).

MR. BAILLIE COCHRANE said that the great loss of time occurred through the House being counted out on Tuesdays. He was very nearly being a sufferer himself last Tuesday, when the Prime Minister suggested that he should go on with his motion on the Suez Canal. He, however, felt certain that the House would be counted, which happened as soon as an hon. Member opposite (Mr. Chadwick) rose to bring forward a Motion on the Income Tax. Between 8 and 10 o'clock on Tuesdays the House was almost always counted. If, however, the Government would put down Supply or some other Government business on the Paper, the House would then be safe to be kept. As the right hon. Gentleman had been so kind in advising him to go on last Tuesday, perhaps he would give him the assurance that he would be in his place next Tuesday and keep a House for him.

MR. COLLINS thought that if a question brought forward by any hon. Member would not attract forty Members, its fate could hardly be deplored; and he thought it would be well to lay down the rule that if an hon. Member were once counted out he should not be allowed to bring on the same Motion during that Session. It was no offence to the Colonies when an hon. Gentleman opposite was counted out, but only an intimation that the House did not think any good object could be gained by the discussion of the subject. When, however, that hon. Member was counted out, a great injury was inflicted upon the next hon. Member, who might have a sensible Motion on the paper, because the first Motion not only stopped the way, but emptied the House. The other night the hon. Member (Mr. Chadwick) was counted out in moving for a Committee on the Income Tax. The House knew very well that the tax could not be modified, but that it must either be got rid of or retained, and, therefore, the House knew it was only a waste of time to go on. He thought the House showed great good sense in refusing to entertain Motions of this kind. Out of the three recommendations of the Committee of last Session two had been adopted to the satisfaction of the House—one that Mondays should be given to the Government, and another that no opposed business should be taken after midnight. The third—that a quarter of an hour's grace should be allowed before the Speaker counted, when the House resumed at 9 after a morning sitting—had not yet been adopted.

MR. GLADSTONE said, the subject was now being discussed, partly on the Motion of the hon. Member for North Warwickshire (Mr. Newdegate) and partly upon a suggestion made by his right hon. Friend the Member for East Sussex (Mr. Dodson) for improving the conduct of the Business of the House. It was difficult to deal satisfactorily in debate with these proposals, and it was hardly possible to bring them to a state of maturity until after they had passed through the ordeal of a Select Committee. These matters required to be looked at on different sides, and it was conversation rather than speeches which enabled them to undergo the thorough sifting which they required before they were adopted. The right hon. Gentleman (Mr. Dodson) had made a suggestion which had been received with more than common favour, that there should be an exchange of the Business of Tuesdays and Wednesdays. A great deal might be said in favour of that Motion, but he doubted whether it would be safe to adopt it without carefully examining it from every side, because it clearly involved casting a weight in the scale in favour of Notices of Motion as compared with the legislation undertaken by private Members. It gave to Members who moved Notices of Motion six hours of an absolutely certain House. [Mr. HUNT dissented.] Yes, practically it did, because from 12 to 4 the House could not be counted. [Mr. HUNT: But will you make a House?] Sometimes there might be half an hour lost before a House was made, and there was that deduction between the hours from 12 to 4, but when London was full there was no difficulty whatever in keeping a House between 4 and 6 o'clock. That would give, practically, five or six hours certain to those who had Notices of Motion. The right hon. Gentleman proposed to repay the promoters of private Bills by giving them Tuesdays—which would be subject to risks. That was a change of great importance which required to be carefully weighed because the interest of these two classes was very distinct one from the other. He thought it would not be imprudent to say that the whole of these suggestions required to be turned over and examined on every side. It had been charged upon the Government of the day that it had of late years made encroachments upon private Members. He questioned the truth of this assertion. If hon. Members went back 20 or 30 years, he was ready to affirm that, apart from morning sittings, the Government 20 or 30 years ago had a much larger proportion of the aggregate number of hours than at present, and that the encroachment had not been by, but upon the Government. In 1867 or 1868, when the rule was made for morning sittings, the inequality was so far removed as to bring matters back to the state in which they formerly were. While private Members squabbled with the Government and the Government with private Members, the cardinal difficulty lay in the quantity of business and the fixed quantity of time to do it in, and it was to the economical distribution of that time to which the House would have to look, rather than from any great advantage to be gained by private Members at the expense of the Government. He thought it would be worth while to appoint a Committee of the House to consider the subject anew, but there was no use in raising the question if hours were to be spent in debating it and in withdrawing the attention of the House from other business. He thought there would be no advantage in agreeing to this motion, and that for two reasons. In the first place, as had been said by the hon. Baronet (Sir Henry Selwin-Ibbetson) it would be impossible to limit the Committee in the manner proposed by this Motion. It had been suggested that, not by one but by a series of instructions, the scope of the Committee should be made wider. But that showed that the form of the Motion was a wrong one, and if a Committee were appointed, it ought to be appointed with much greater confidence in its discretion than the Motion showed. In the next place, he ventured to say that this was not a time of the Session at which such a Committee could be appointed with any advantage. A Committee on the Business of the House ought only to be appointed at a period of the Session when hon. Members of the House were so free from engagements that the members of the Committee could be chosen unrestrictedly from the Members of the House. It ought to have the power of bringing together all those hon. Members who had been most responsible for the conduct of the Business of the House, and who had had the longest experience. If a Committee were appointed after Easter when a large majority of hon. Members whose assistance was most desirable were already so occupied with previous engagements, they would not be able to do justice to the inquiry. His hon. Friend the Member for the Isle of Wight (Mr. B. Cochrane) had complained of the request which was made to him to proceed with his Motion about the Isthmus of Suez on Tuesday night, but he (Mr. Gladstone) believed that if his hon. Friend had stood in the breach he would have kept a House. The hon. Member had also suggested a change by which the Government Orders should have precedence on Tuesday nights. [Mr. Baillie Cochrane: Should not have precedence.] The hon. Member's proposition amounted to this—that the Government, without any hope of bringing on their Business, should place it on the Paper, in the hope that official Members would would be bound to keep a House. The hon. Member for Boston (Mr. Collins) had proposed that they should make a slight change with respect to the Rule that was to be enforced when the House recommenced its sittings at 9 o'clock, and stated that a quarter of an hour's grace should be given. He (Mr. Gladstone) did not know whether it was wise to have a Rule that on such occasions no Motions should be made to count out the House before half-past 9, instead of a Rule permitting the making of a Motion to count-out at a quarter-past 9; but the House had experienced the advantage of requiring a pause before a Motion for a count-out could be made on such occasions. As to the general subject, he hoped the hon. Member for North Warwickshire would not ask the House to Divide on his Motion.

Mr. R. N. FOWLER said, he was doubtful whether it would be desirable to transfer to Wednesday the business now transacted on Tuesday evening. If that had been done before last Tuesday, the consequence would have been that the hon. Member for the City of London (Mr. Crawford), and other mercantile Members, would not have been able to be present at the important discussion on the currency question. He thought it deserved consideration whether the present system was not better than the one now suggested. One of the results of the deliberations of the last Committee was the adoption of the half-past 12 o'clock rule, which stood in the way of private Members, and seemed to him a change of very doubtful advantage. Another change recommended by the Committee was that at the evening sitting the House should not be counted out before a quarter-past or —as subsequently suggested by the Government—half-past 9, and of that proposal he approved. With regard to the Motion of the hon. Member for North Warwickshire (Mr. Newdegate), he trusted that it would not be pressed to a division.

Colonel BARTTELOT asked the hon. Member for North Warwickshire not to divide on the question. He agreed with the right hon. Gentleman at the head of the Government that it would be much better to have an inquiry at the commencement of a Session, when the whole subject could be gone into. As to the suggestion of the hon. Member for Boston (Mr. Collins), he thought that at 9 o'clock a quarter of an hour's grace might be fairly allowed; but he should object to any extension of that time.

Colonel WILSON-PATTEN said, he was afraid they were attempting an impossibility. Looking at the number of Bills before the House, he did not think that any Committee or any change of system would facilitate legislation to the extent imagined by some hon. Members. The other day he counted the number of Bills awaiting discussion which had been brought in by hon. Members. He found there were no fewer than 66 Bills on the Order Book. Each of those Bills would be discussed three times, and upwards of 190 days would be required for that work. He had not counted the Notices of Motion, but they were very numerous. It was clearly impossible that all of them could be considered and passed through their various stages in the time at the disposal of the House. The truth was, that the measures introduced by private Members impeded each other, and would continue to do so under any system that had been suggested. The only thing that would facilitate the passage of a portion of them would be the withdrawal of the rest. He did not think that a Committee could, with advantage, be appointed at the present period of the Session, nor did he think that it would be desirable to appoint a Committee at all until they had before them some more definite proposition than they had at present. No hon. Member had made a better suggestion on this subject than the right hon. Gentleman the Member for East Sussex (Mr. Dodson). He concurred with the Prime Minister in thinking that a House would have been kept on Tuesday if the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) had proceeded with his Motion. The reason why the House was counted out was that nobody took an interest in the Motion of the hon. Member for Macclesfield (Mr. Chadwick). He did not see any use in the Committee proposed by the hon. Member for North Warwickshire. Numbers of hon. Members would be deprived of the opportunity of taking part in discussions if Wednesday were made the day for Motions. If, however, a substantive proposal were made to that effect, it might be discussed and decided by the House without the intervention of a Committee, as to the undesirability of appointing which, he agreed with the Prime Minister. Business had so increased that its discharge was almost impossible under any rules unless, as he had stated, hon. Members, whose Bills had no chance of passing, would at once withdraw them—a course, however, which it was hopeless to expect, every hon. Member naturally thinking his own Bill an important one.

Mr. CHADWICK trusted the hon. Member for North Warwickshire would not withdraw his Motion, and urged that the main point should be to check the gross waste of time occasioned by the hon. Member for Boston and others, who appeared to think the House was burning to learn their sentiments on every subject. The Committee should be instructed to consider some mode of limiting the speeches of hon. Members to subjects which they understood, or could give some information upon. With regard to the count-out on Tuesday night, the income tax was a subject which he had studied for years, and he had intended to combat the heresies of the Prime Minister and the Chancellor of the Exchequer respecting it. There was scarcely any subject which they could not count-out between the hours of 8 and 10. He could himself have counted out the House 20 times during the past Session when important questions were under consideration. When it was considered that they printed and published the names of hon. Members who voted for or against any Motion, he saw no reason why they should not print and publish the names, not only of those who were present when the House was counted, but of those hon. Members who moved a count. Why should they conceal the name of any hon. Member who thought the exigencies of the public service required a count? He trusted the Committee would be appointed, and that the main question for their consideration would be how they could restrict the large amount of useless talk which was at present indulged in by hon. Members.

Mr. SCOURFIELD thought that, unless the Committee had particular instructions as to the object with which they had to deal, they might meet 20 times without being able to form any definite plan. He was afraid that if they were required to solve the problem of how the Public Business could be best despatched, and, at the same time, secure unlimited liberty of debate for hon. Members, they would be placed in great difficulty.

Mr. CRAWFORD pointed out that Friday nights would be more available to private Members but for the rule against more than one division on the Motion for going into Committee of Supply. He thought that a good deal of the inconvenience which now existed would be removed if the House fell back on the old rule of moving that the House, at its rising, should adjourn until Monday. With regard to the project for bringing forward Motions on Wednesdays instead of Tuesdays, he wished to remind the House that it was quite impossible for those hon. Members who were engaged in the City or professionally occupied to come down to the morning sittings.

Mr. MONTAGU CHAMBERS said, he was not in favour of the form of Motion now brought forward, because he thought they were too much in the habit of submitting matters to Select Committees which ought to be taken into consideration by the House itself. He could not avoid saying, however, that there were a vast number of Resolutions brought forward unnecessarily, and simply for the purpose of airing eccentricities, or with the intention of showing persons outside that their authors were attempting to do something. If hon. Gentlemen would read through the lists from time to time of the Resolutions to be proposed, they would not say they were nonsense, because that would be unparliamentary language; but some censorious person would say that the House of Commons, which ought to be engaged in most important business, was occupied too frequently in discussing that which might be occasionally instructive, sometimes extremely amusing, but which almost always ended in nothing. If hon. Gentlemen—acting upon the suggestion of the hon. and gallant Member for Lancashire (Colonel Wilson-Patten)—would be considerate enough, when there was Public Business to be done, to withdraw the advocacy of their conundrums, the House would be able to make progress with and to facilitate real business. He had frequently heard the expression "free discussion" used, but he thought the liberty of free discussion might be carried a little too far when important Public Business was waiting to be transacted. Perhaps it was complimentary, or perhaps it was not complimentary to that House, but he was of opinion that kindly forbearance on its part with reference to the agitation of unimportant questions was a little too indulgent. Some time ago a novel was published bearing the title of *Thinks I to Myself, thinks I*, and very often in the course of a debate he had said—"Thinks I to myself, thinks I, what a pity it is that the time of the House is wasted in this manner." There were many hon. Members who were in love with their own ideas, and who insisted on inculcating them in the House of Commons, and the consequence was that at the end of the Session but little real business had been transacted. He had made these observations in the hope of "showing ourselves up to ourselves," and he trusted that hon. Members would take them to heart. He wished to hold up the mirror to those hon. Gentlemen who were the *habitués* of the House of Commons, and knew what the Rules were. The proceedings at a count-out could not be described as "disgraceful," because that also was not a Parliamentary expression. He was in the House the other evening when he was informed there would be a count-out on Mr. A, B, C, or D's Motion, and upon asking why, he got no answer. He however saw the exhibition. One hon. Gentleman rose up and observed that there were not 40 Members present. What did the hon. Gentleman then do? Why, he walked out at the door, and a number of other hon. Gentlemen trooped after him, and through that glass door were certain eyes peeping, all anxious that the count-out should be successful. It struck him as a most extraordinary proceeding that the very man who said there were not 40 Members present should be the first to run out of the House. That sort of thing was not only known out-of-doors, but it was ridiculed and condemned, and it was condemned with perfect propriety. It was very desirable, in his opinion, that a Rule should be made to the effect that after an hon. Member rose to draw attention to the fact that there were not 40 Members present, no hon. Gentleman should be allowed to leave the House until after the count had taken place.

SIR STAFFORD NORTHCOTE agreed that the question of counting-out the House had attracted the attention of the public, but he thought it was not desirable that an impression should go abroad which should make hon. Gentlemen appear worse than they were. The speech of the hon. Member for Macclesfield (Mr. Chadwick) was calculated to produce a false impression, because the hon. Gentleman had put it forward broadly that there was no business, however important, upon which the House could not be counted-out between the hours of 8 and 10 on any evening. Undoubtedly it sometimes happened that on Government nights there were not at a certain hour of the evening 40 Members in the House; but if an attempt were made to count-out it would be found that there were plenty of Members within the walls of the building, and who would come in and make a House to prevent such an attempt being successful. It must be understood that Government business ran no risk of being got rid of by a count-out. The Government always could and always did keep a House for really important business; and if the business brought forward by private Members sometimes suffered from a "count," it was generally because there was not a sufficient number of hon. Members interested in it to keep a House together, though sometimes the result, as was the case the other night, was due to accident.

Mr. NEWDEGATE, in reply, said: Sir, there is a modern invention connected with railways, the application of which has conduced much to secure the public safety, and it is known as the "block signal." And to day, I think I have at all events shown the House a block signal with respect to its own proceedings and business. I regret that it does not appear to be the inclination of the House, by a majority, to adopt the Resolution which I have proposed with a view to considering how the Public Business may be liberated. I feel the truth of what has been so ably stated by the right hon. Gentleman the First Lord of the Treasury, that whatever may be the value of any suggestion made for the improvement of the proceedings of this House, unless it has first been sifted by a Committee, it will not ultimately be adopted by the House. For years past no suggestion has been adopted by the House with reference to its procedure that has not been first recommended by a Committee; for this reason I acted upon the suggestion of the right hon. Gentleman by proposing the appointment of a Committee. But, as he conceives that the terms of the Motion, limited as they are by the circumstances of the case; by the fact that the proposal for the appointment of a Committee on the whole subject of the Business of the House, has already this Session been negatived, and that I am precluded by the Rules of the House from renewing that Motion, I suggested the proposal which is now before the House, fully convinced that, unless the discussion which has taken place has some influence upon hon. Members, the "block" in the business of the non-official Members of the House, which I have endeavoured to describe, must continue, and many of the Bills they have introduced, probably some of those most worthy of consideration, must lapse for this Session, because their course is obstructed by other measures that have far less claim upon the attention of the House. I will not risk again, and more finally, precluding the House from entertaining the propriety of appointing a Committee to consider the state of its business, and the necessity for effecting some alteration in its proceedings, by taking a Division. With respect to an observation which has fallen from the right hon. Gentleman the Member for East Sussex (Mr. Dodson), I would say that I hope he will not make his suggestion for an improvement in the proceedings of this House, without submitting it to a Committee, unless he is very confident that he has secured a majority in his favour beforehand. Few Members are more competent to deal with this subject than that right hon. Gentleman; but great as his authority may be, and however valuable may be his suggestions, I fear that, unless it be backed by the recommendation of a Committee, he is not likely to attain his object. I will no longer detain the House than to ask its leave to withdraw the Motion, lest, by its rejection on a Division, the House should find itself obstructed in consideration of the question hereafter, as it becomes more pressing with the advance of the Session, and I believe that it will become more pressing as the Session advances.

Motion, by leave, *withdrawn.*

MERCHANT SHIPPING ACT—RULES OF THE ROAD AT SEA.—RESOLUTION.

Mr. G. BENTINCK, in rising to call the attention of the House to the present inefficient state of the 'rules of the road at sea,' as regards the common practice of propelling steam vessels at a high rate of speed at night and in thick weather; and to move—

> "That, in the opinion of this House, other regulations are required, with a view to the better avoidance of the annual great loss of life and of property which is caused by the want of more stringent regulations on the subject,"

said, the object he had was to obtain legislation the effect of which would be a considerable saving of life. If he could show that the want of certain rules and regulations, or Acts of Parliament—whichever might be required for the purpose—was the cause of an annual loss of human life, he thought it would be the duty of the Government to deal with the question. He wished to call the attention of the right hon. Gentleman the President of the Board of Trade to what occurred last year when this question was brought forward by the hon. and gallant Member for Stamford (Sir John Hay). The right hon. Gentleman opposed that Motion upon the ground that great inconvenience, possibly great risk, might arise if any attempt were made to change what were termed the 'rules of the road at sea,' after their being adopted by all the principal countries of Europe. In the present Motion he (Mr. Bentinck) did not ask for any alteration of the existing 'rule of the road,' but simply that a slight addition should be made to those rules, and if his suggestion should be adopted by the Government of this country, it could be made applicable to their own coasts, where it was chiefly required. If it should be adopted by other nations so much the better, but if not their rules would remain as they were. At any rate there would be greater security on their own coasts. The facts of the case were clear and simple, and they did not require the slightest knowledge of nautical matters upon the part of hon. Members to understand them. The practice on their own coasts where steamers abounded was to drive those steamers day and night and in thick and dark weather at the highest possible rate of speed, in order to curtail the time occupied in their voyages as much as possible. Now it was clear that the practice which he complained of must end in a great annual sacrifice of human life. He would not trouble the House with figures, but the Returns of the Board of Trade upon the subject showed that the practice led to many fatal consequences. What he complained of was that there was no law against the practice, the result of which in some cases might come under the head of misdemeanour, and there ought to be a law by which persons could be punished for the consequences of their acts. The present was a state of things which ought not to exist in a civilized country, for it led to a wanton sacrifice of human life. It was true there were stringent regulations in existence as to keeping a good lookout on board ships, but if steamers were driven in thick weather and in crowded waters, at a great rate of speed, those regulations were practically useless. Ought the present state of things to be allowed to continue? The secretary of Lloyd's stated, and the statement was quoted in the House last year by his hon. and gallant Friend (Sir John Hay), that whilst the number of sailing vessels had increased 9 per cent, and the collisions had increased by 7 per cent, the number of steamers had increased 39 per cent, and the number of collisions by 39½ per cent. That showed that the collisions were mainly attributable to the number of steamers running on our own coast, and if that was the case, was there any possible ground upon which the right hon. Gentleman (Mr. C. Fortescue) could refuse to deal with the subject, and to take such steps as would prevent that great annual sacrifice of human life which, according to the Returns in the right hon. Gentleman's own possession, undoubtedly resulted from the practice to which he was referring. He might be asked why steamers ran the risk they necessarily did in steaming up and down our coast at such excessive speed in all weathers and under all circumstances that it was a mere matter of chance whether or not a collision would occur? The simple reason was that, in regard to the voyages of those steamers, as in all other commercial operations, time was money; and every half hour that was lost on their passage was so much out of the owner's pocket. He assumed that right hon. Gentlemen would not deny the facts which he had stated. There was no difficulty in dealing with the subject, because it was not necessary to alter the 'rules of the road,' but only to make an addition to those rules, which he could confine solely to our own coasts, where the grievance complained of principally existed. He maintained that it was the bounden duty of the Government to deal with the subject, and if they failed to do so they would be virtually responsible hereafter for every life lost on our coast by the practice to which he had referred. The hon. Member concluded by moving the Resolution of which he had given Notice.

Motion made, and Question proposed,

"That in the opinion of this House other regulations are required, with a view to the better avoidance of the annual great loss of life and of property which is caused by the want of more stringent regulations on the subject."—(*Mr. Bentinck.*)

SIR JOHN HAY said, his hon. Friend the Member for Norfolk (Mr. Bentinck) had brought that subject forward with the weight and ability which belonged to him, and also with the great experience of the sea which that eminently English sport, yachting, of which he was so great a master, had conferred upon him. That question was not one that required any great discussion. The House had already been put in possession of the facts of the great loss of life caused by the imperfect regulations for navigation which now exist. He had himself had the honour of suggesting in the papers of the House certain changes in the wording of the present 'rules of the road at sea,' but he was by no means wedded to the particular changes he had submitted. Last year, when he introduced that subject, every hon. Member of the House who had served in the Navy, with a single exception, was of opinion that a Committee should be appointed. It was said that a Committee of that House was, perhaps, not the best tribunal to decide such a question, and there was some force in that observation; but it was true that there was some great objection in the Department to making or considering the changes which were requisite. In former years it had been opposed by the right hon. Member for Birmingham (Mr. Bright), when President of the Board of Trade, and also by the right hon. Gentleman opposite (Mr. Fortescue), upon information given by that Department. But last year his Motion for an inquiry was supported by two former Presidents of the Board of Trade, the right hon. Baronet the Member for Devonshire (Sir Stafford Northcote), and the right hon. Member for Shoreham (Mr. Cave), who both, with their knowledge of that Department, thought there was an opportunity for further investigation so as to save life and property at sea. The principal argument put forward by the Department was that those rules, whether perfect or imperfect, having been adopted by all nations, there would be very great inconvenience in making any change without the sanction of all nations who were parties to the agreement. But two of the principal nations who were parties to the agreement had themselves suggested that the present rules were imperfect. It was true that after making changes France and the United States of America gave way to the urgency of our Board of Trade; and, looking to this country as possessing the greatest mercantile marine, said that as great inconvenience would arise at sea from any change made by themselves, they would not force them on the world without the sanction of England. The correspondence on the subject showed that the United States had withdrawn the alterations, which they thought necessary, not because they believed they would not conduce to the safety of shipping, but out of deference to our Board of Trade. Again, in the opinion of France, two of the rules now in force were a source of considerable danger. When two considerable Maritime Powers like the United States and France pointed out changes which they thought necessary for the safety of shipping, and only withdrew their endeavours to effect them owing to the numerical superiority of our mercantile marine, and their belief that these things must be carefully weighed by us, with the disposition to make prudent changes when they were shown to be necessary, surely it was time for the Board of Trade to cause inquiries to be made as to whether they were necessary or not? He had already quoted in the House many naval officers of eminence, to whose opinions weight and authority attached, who said that the rules now existing were the source of danger, and that change was necessary. He might allude to Admiral Sir Alexander Milne, the present First Sea Lord, an officer of the highest character and the greatest experience, to Commodore de Horsey, to Captain Colomb, than whom no one's opinion was more entitled to consideration, and Admiral Randolph. All these officers thought some change was necessary, though he was bound to admit they did not fully concur in the amendment he proposed. He must also allude to another sea-officer, Mr. Stirling Jason, who had put himself in communication with the naval authorities and the representatives of the commercial marines of six or seven of the principal Maritime Powers of Europe, and they all concurred in saying that change was necessary for the safety of life and property at sea. We knew that in 10 years 1,000 lives had been lost through collisions alone, which was at the rate of 100 a year; and surely such a sacrifice of life deserved the attention of Parliament? A suggestion he would offer was that the Royal Commission which it was understood was about to inquire into the safety of life and property at sea should have this cognate subject referred to it. The decisions of such a commission would carry great weight, and he was sure they would be accepted not only by the shipowners and masters of England, but by the mercantile marine of the United States and France, and indeed by the navies of the world.

MR. SAMUDA said, he recognized the importance of the subject, and concurred in the belief that the number of collisions was on the increase; but he was not certain whether the real defect in the rules, which was the cause of many collisions, was correctly apprehended. The rules directed that when steamers were meeting each other, each should port its helm—that is, move away to the right. That, he admitted, would secure safety when they saw each other's green and red lights, or each other's red lights only, but when they saw each other's green light—that is, the light on the right, then porting the helm in nine cases out of ten brought them into collision. It was important to consider whether this rule should not be varied, and whether steamers, under these circumstances, should not be directed to stand still. It would not be wise for Parliament to interfere with the discretion of captains as to the speed with which their steamers made their trips; but, as non-observance of the rule now involved liability for payment of damages, and observance of the rule caused collisions, we ought to consider whether some change could not be made in it.

MR. T. E. SMITH thought that the Motion of the hon. Member for Norfolk (Mr. Bentinck), in the form in which he had put it before the House, must receive support from all hon. Members, and even be accepted by the President of the Board of Trade. Whether collisions occurred from errors in the regulation or not, it was known that a large number of collisions were due to too rapid steaming in thick weather. He had crossed the Atlantic with a captain who rather boasted that in one trip in a fog he had run a ship down, and in 22 minutes after the collision was steaming away with every member of the shipwrecked crew on his steamer—an incident which he spoke of simply as a clever feat. It was no secret that ships sometimes steamed at full speed through fog all the way from Liverpool to New York. He had heard it said that it was a common practice among captains on our eastern coast to keep driving up and down during the prevalence of fogs. If the Board of Trade were to visit with condign punishment every breach of the rules which resulted in collisions, he felt convinced the number of lives lost at sea would be considerably diminished. As for the proposal of the hon. and gallant Baronet (Sir John Hay), from inquiries he had made he found that it met with little approval from the Mercantile Marine. It was highly important to have a uniform rule, universally accepted by all maritime nations, and one that should be strenuously acted upon.

MR. LIDDELL said, he understood that the fact of a steamer not having a look-out did not constitute a positive offence against the law. If the information he had received were correct, the crews of large steamers running coastwise were very often in such a condition that they were unable to keep a look out. Their physical condition, arising from fatigue and sometimes from drink, incapacitated them from doing so. In these days steamers made rapid voyages, and were speedily reladen, so that the crews often left port in a weary and worn-out condition. Indeed, he had seen it stated that, soon after a ship left a port, it frequently happened that not a single man on board was awake with the exception of the steerer. Such being the case, it was no wonder that collisions constantly occurred. Moreover, it had been stated that none but passenger and mail steamers kept a look-out, as a rule, when at sea. Surely a stringent law ought to be laid down to compel every ship to keep a look-out? Again, it was an almost incomprehensible thing that in a maritime country like ours there should be no distinction between the danger signal and the signal for a pilot. This was one of the causes which contributed to the fearful calamity to the *Northfleet* off Dungeness, which was so fresh in their recollection. Several vessels were in the neighbourhood of that ill-fated ship, and might have rendered assistance to her, but it was thought the signals she made were merely for a pilot. Surely this was a matter which might be easily remedied, and that in concert with other maritime nations, and he trusted it would receive serious attention from the Board of Trade.

MR. CHICHESTER FORTESCUE said, no one could be more anxious than he was to take every means within the power or the invention of the Government in order to diminish the loss of life and property at sea, but the practical question was how far these matters were within the power of legislation and Parliament. The matter was not so easy of practical solution as some people in their ardour imagined; but that was no reason why the best efforts of the Government should not be directed to that end, and so far as he was concerned, they should be so directed. The general question of the 'rules of the road at sea,' though not included in the terms of the Motion, had been raised by the hon. and gallant Baronet opposite (Sir John Hay), but he regretted that he was not able to take the view that had been propounded. Without going into the question, he would rest the opposition which he deemed it his bounden duty to give to any re-opening of our present system as to those 'rules of the road at sea,' on the ground so well put by the hon. Member for Tynemouth (Mr. Smith). As far as he was concerned this was necessarily a question of authority and of agreement between the maritime nations of the world. Now, the vast preponderance of authority, both theoretical and practical, was much more in favour of the rules as they stood than of those which the hon. and gallant Baronet wished to substitute for them. The present rules were settled, after a great amount of care and consideration, by agreement with the other Maritime Powers, chiefly in consequence of the exertions of one of his prececessors in the Presidency of the Board of Trade—Mr. Milner Gibson. It was under that gentleman's personal direction that the Code was brought to its present state and received the sanction of all the maritime nations of the world. Certainly, he could not consent to re-open the question now by any expression of opinion in favour of a change, or by referring the rules to a Royal Commission, which would have plenty of other matters to consider. The real object of the hon. Member for Norfolk (Mr. Bentinck) was the attainment of some change in the law, though what that change should be was not clearly expressed, but it seemed to refer to some increased stringency in the regulations, with a view to diminish the number of collisions by checking the practice of driving steamers at a high speed. There was nothing in the hon. Member's motion to prepare him for any particular kind of legislation, and he could hardly be expected to give positive advice to the House on a proposition he had never heard before. As he understood the proposal, it was that every breach of the rules forbidding a high rate of speed should be made a criminal offence. The hon. Member omitted, however, to state that a penalty was inflicted now for a breach of the regulations. One of these regulations was to the effect that ships under steam were to slacken speed when approaching another vessel, and, if necessary, stop and reverse; that in a fog they should go at a moderate speed. Surely this rule was clear and intelligible enough? As to the observance of the rules, the Merchant Shipping Act provided that captains who did not obey them should be deemed guilty of misdemeanour, and their ships should be adjudged in default. He admitted that prosecutions for misdemeanour in those cases were difficult, and the difficulty was increased by the absence of a public prosecutor in this country. But, independently of the proof of misdemeanour, proof of the breach of these rules was attended with important consequences to the ship, and secured her condemnation, which in itself was a serious penalty. As to the suggestion of further legislation for the purpose of preventing collisions, he had in preparation a Bill which, without pledging himself as to the particular mode of meeting the question which had been raised by the hon. Gentleman opposite, contained what he hoped would prove acceptable provisions on this subject. One of these provisions would for the first time render it a criminal offence on the part of the master of any ship to act in the disgraceful way in which the master of the ship—whoever he might be—that ran down the *Northfleet* conducted himself. An attempt was once made by the late Lord Kingsdown to render that conduct criminal, but it was resisted by other legal authorities in the other House. However, he (Mr. Chichester Fortescue) was now in consultation with the Law Officers of the Crown upon it, and felt confident they would be able to propose a change in the law which would for the future render such acts criminal.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. CHICHESTER FORTESCUE resuming, said, the Bill now being prepared also contained clauses for providing an improved system of danger signals. It was not so easy as some persons might imagine to devise danger signals which should be of a thoroughly simple and practical kind, as they must be, and yet not capable of being confounded with ordinary signals for pilots. It was necessary to consult with parties having special knowledge on the subject, but after a great deal of time had been thus necessarily occupied, a large amount of agreement had been secured as to the simple form of signals which would be proposed in the Bill. These signals had been laid before foreign maritime countries through the Foreign Office, and had been assented to by Holland, Italy, France, Greece, and the United States. They would not consist of a coloured light as suggested. The adoption of a system of coloured lights would be dangerous, as there never could be any certainty that a vessel in danger would have a store of that particular kind of light; and if the means of making a danger signal could not be relied on for all conceivable occasions the danger was increased instead of diminished. He could not venture off-hand upon an opinion respecting the particular addition to the 'rules of the road' in respect of collisions, of which he had heard for the first time to-night. The subject, however, should have his best attention, and he should be glad if he could see his way to any increased stringency of rule. His opposition to change in the general 'rule of the road at sea' was founded upon a concurrence of authority against it; and he could not undertake to re-open the question by referring it to the Royal Commission. He had a recent conversation with a gentleman cognisant of this matter who said that in an interview with the late Dr. Lushington, that distinguished jurist said not long before his death—"Never allow the 'rule of the road at sea' to be altered;" and as far as the experience of the Court of Admiralty went, he had never been able to hear of vessels lost through the observance of the rule; they were lost, if not by accident, then through the violation of the rule.

MR. MONTAGU CHAMBERS thought that this was a question upon which the House wanted practical information, and as a practising Barrister he had had much to do with these rules. From the experience he had thus acquired in collision cases, he had found that the rules were most embarrassing, and he had also found that, besides their being embarrassing, if they were regularly and invariably adopted, the two vessels which were meeting were certain to come into collision. If the order to port the helm was obeyed in certain cases a collision wes a dead certainty. His experience had convinced him that the Rules should be revolutionized, and he adopted that term advisedly. Seeing that a Royal Commission had been authorized for the purpose of inquiring into loss of life in consequence of the unseaworthiness of vessels, was anything more reasonable than that this question of the loss of life by collisions, which was a cognate subject, and involved in the other, should be inquired into at the same time? He ventured to say that if they looked to the archives of the Admiralty Court and to the decisions of Dr. Lushington or other Judges they would find that these very 'rules of the road' had received different interpretations and that they had embarrassed the Judges in that Court and Judges and juries in the Courts of Common Law. He agreed with the hon. Member for the Tower Hamlets (Mr. Samuda) in thinking that it would be impolitic to regulate the rates of speed by Act of Parliament, and it would not be for the interest of a commercial community like ours to endeavour to control it in too precise and dogmatic a manner, as that would only tend to obstruct private enterprise.

MR. BATES wished to say a few words in reference to a statement of the hon. Member for Northumberland (Mr. Liddell) that it was only on board large steamers that a look-out was kept at sea. This statement was by no means correct. He (Mr. Bates) had been round the Cape more than once during the last 40 years both in sailing ships and steamers, and he had never been on board any vessel on which a look-out was not kept at night. No doubt it was true, as stated by the hon. Member for Tynemouth (Mr. T. E. Smith), that the Atlantic steamers crossed generally at full speed; but he would remind the hon. Member that those steamers would bear favourable comparison with other steamers which left our coast.

Mr. G. BENTINCK, in reply, said that he had listened attentively to all that had fallen from both sides of the House with reference to the Motion he had brought forward, and he was bound to say that he had heard nothing which answered any statement he had made, nor had he heard any valid reason given for not complying with the suggestion that he had offered. What he had complained of was the driving of steamers at a high rate of speed in thick weather and at night, and in that way causing collisions and loss of life. He could not admit, as the President of the Board of Trade had said, that the question was one not easy of solution. The question could easily be solved if the right hon. Gentleman had the courage and energy to enter upon it. [Mr. Chichester Fortescue said, that it was under consideration.] He hoped that the right hon. Gentleman would arrive at a different conclusion from that which he had understood him to express that night. Those acquainted with the details of the subject could understand how easy the solution of it would be. He did not propose to alter the 'rules of the road at sea.' All he asked was the making of an additional rule to deal with a particular case. The right hon. Gentleman complained that he had not explained the change which he (Mr. Bentinck) wanted made. It was true he did not state the precise penalties which he would attach, but what he wanted to convey was that at present the penalties were insufficient for the purpose. He asked the right hon. Gentleman to make the penalties sufficient to have a deterrent action upon the wrong-doers, who were drowning people day after day in order to put money into their own pockets, or into those of the owners. He wanted penalties not upon the owners but upon the actual perpetrators of the offence. The owner might be mulcted by the Admiralty Court in the event of a collision, but it was the master whom he wished to reach. Nobody could deny that collisions involving considerable loss annually occurred through the practice of driving steamers at great speed in thick weather, especially in the Channel. The right hon. Gentleman held out the hope that he would introduce a Bill, but it did not seem that that Bill would deal with this particular subject. The question of signals would arise only after the collision had happened, whilst what he (Mr. Bentinck) wanted was to prevent the collision. In not dealing with the precise question he had brought forward, the right hon. Gentleman was assuming a grave responsibility, and he (Mr. Bentinck) must tell him that in so acting he would himself become virtually responsible for the loss of life at sea which was caused by a state of circumstances that might be very easily remedied by him.

Mr. CHICHESTER FORTESCUE said, he hoped that he might be allowed to explain, as the hon. Gentleman sought to make him personally responsible for loss of life because he had not acceded to his Motion. What he had said was this, that he had no means of judging from the form of the Motion what was meant—what addition it was desired to make to these rules; and this being so, he thought it was unreaaonable that he should commit himself off-hand to any pledge as to the extent to which legislation could be carried in this matter. He also said that it should have his best attention, to see if the regulations as to excessive speed could be rendered more effectual.

Mr. G. BENTINCK added that he had distinctly stated that what he wanted was more stringent penalties; and if the right hon. Gentleman would say that he would enact the penalties which he (Mr. Bentinck) would point out, he would be perfectly satisfied.

Question put, and *negatived.*

PARKS REGULATION ACT—MEETINGS IN THE PARKS.—OBSERVATIONS.

Mr. J. LOWTHER, in rising to call the attention of the House to the various Rules and Regulations which had been from time to time issued under the provisions of the Parks Regulations Act, 1872; and to move—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that rules be drawn up for the more effectual protection of Her Majesty's subjects while availing themselves of the privilege accorded them of using the Royal Parks for purposes of recreation by prohibiting the delivery of public addresses in such Parks,"

said, that the subject with which his Notice dealt was one that had occupied a prominent place in the public mind, but had never been fairly discussed. In the early part of the Session there was an irregular discussion introduced somewhat unexpectedly by the Home Secretary upon a limited branch of this subject; but it very soon degenerated into a personal contest, though it was a contest of no ordinary magnitude, and by no means deficient in interest. It was, in fact, a contest of giants. There was the First Commissioner of Works, no mean antagonist for any man, not even for the hon. and learned Member for Oxford (Mr. Harcourt), who somehow or other did not now "come up to time," though perhaps at a more fashionable hour he would be there. In introducing the subject, which had been again forced upon the public attention by the events of Sunday week, he did not mean to make it the subject of any Vote of Censure upon the Administration, and still less of an attack upon any individual Minister. As regarded the Minister whose Department was specially charged with the preservation of the privileges accorded to the public in the Royal Parks, he believed that their opinions were not widely apart upon the subject. They were now in a better position than they were formerly for discussing the subject. Formerly there were conflicting opinions upon the state of the law, but now the law had been clearly defined by the highest tribunal in the Realm, and it was no longer competent for anybody to talk of the rights of the people to the Parks, or any of those platitudes that they had previously heard both inside and outside the House. They knew now how far the public authorities might go, and how far licence might go with impunity. Under the provisions of the Act the authorities were empowered to issue special Rules; and saying this brought him to the first set of Rules of the 11th July, 1872. He would not refer to those Rules which dealt with sheep, pigs, cattle, soap, fish, and such things, because he believed that there was no reason on earth for introducing a Bill in order to make regulations upon such subjects. When the Bill was first introduced it did not deal with the monster nuisance, the holding of meetings in the Parks, but the Select Committee introduced that matter into it. The Rules of the 11th July he looked in vain for among his Parliamentary Papers, and he believed that there were only two hon. Members who got them—the hon. and learned Member for Oxford (Mr. Harcourt) and the hon. Member for Warrington (Mr. Rylands) who were favoured with "presentation copies." After he had tried in vain to get a copy himself, he remembered that there was "another place," and having gone there he had occasion to join in the popular cry, which was becoming more popular still, of "Thank God, we have a House of Lords." He found that in that House a similar practice as to withholding copies had not prevailed. Although those Rules had been amended and removed from the Table of the House of Lords and were to be considered as withdrawn, he should like to read them, because they were actually issued by those responsible for the government of the Parks. Rule 1 stated that no public address might be delivered except within 20 yards of the boundary stone, marked "Place for Public Addresses;" secondly, that no public address should be delivered on a Sunday—a most salutary regulation and one which would commend itself most heartily, not only to hon. Members, but to the great mass of the community. The next Rule stated that no public address of an unlawful character should be delivered—which was a truism he should have hardly thought it necessary to put the country to the expense of printing. But the most remarkable Rule was that no public address might be delivered unless a written notice to deliver the same, signed with the names and addresses of two householders residing in the metropolis, had been left at the First Commissioner's Office at least two clear days before the intended delivery. Such notice must state the name of the speaker, the subject of the intended address, and the day and hour when it was intended to be delivered. And after such notice had been received no other notice for the purpose of delivering any other address on the same day would be valid. What, he asked, could have been the object for issuing such a regulation as that? Was it done for the mere purpose of vexatiously annoying persons who intended to take part in public demostrations in the Park, or for the practical object of guarding against serious danger to order and tranquillity and public convenience. It must be patent to those who knew anything of public meetings, that the authors of these Regulations—he presumed the First Commissioner of Works and those who assisted him in the construction of the Rules—must have had at the time a vivid recollection of the discreditable scene that occurred in the Park when the demonstration was made against Lord Robert Grosvenor's Beer Bill, and the Garibaldi meeting when numbers were taken to the hospitals. He presumed that the right hon. Gentleman wished to guard against the repetition of such scenes, and therefore he proposed this Regulation in order that rival meetings for the discussion of controversial topics should not be held at the same time and place; but if the reasons existed on the 11th of July they were equally as cogent now, if they did not exist in a greater degree. The next edition of the Rules appeared on the 26th July, which stated that the Parks might be enjoyed and used in the same manner so far as consistent with statutory regulations as was enjoyed before the passing of the Act. That was not much; but he now came to the edition of the 1st of October, 1872. The first Rule enlarged the area from 20 to 40 yards, and the wonderful notice stone was converted into a board — for the purpose, probably, of economy. Then there was a repetition of the old truism as to the prohibition of unlawful addresses, without any definition of what was unlawful; and next followed a Rule as to the giving of two clear days' notice to the First Commissioner, signed by two householders, the same as he had read, with this exception, that it did not require the subject of addresses or the names of the speakers to be stated. He purposely avoided going into the circumstances attending the withdrawal of those sets of Rules and the motives for the framing of fresh ones. The dates spoke for themselves. Until the 10th of February last the last named Rules remained in force, and on that day the right hon. Gentleman the Home Secretary, to the intense astonishment of the House—and he thought of the right hon. Gentleman himself when the further revised Rules were placed in his hands—proposed a fourth edition of the Park Regulations. That addition practically placed the entire Park at the disposal of those who formed those demonstrations. Certain bounds were placed within which the addresses must be delivered, and in this Regulation a very useful edifice, the powder-magazine, played an important and significant part. But what were those bounds? Why, the entire Park was practically handed over to the roughs who collected together upon these occasions, with the solitary exception of one spot—which, by the way, was the portion of the Park in the centre of which the great bulk of the community would be most anxious to see the promoters of these troublesome assemblages immersed — namely, the Serpentine. However, as he had seen signs of works going on in the neighbourhood, perhaps the right hon. Gentleman the First Commissioner contemplated erecting a platform there to enable the speakers the better to address their admirers. He confessed that for his part he had not the slightest objection to public meetings. He had taken part at many meetings at which resolutions, which he had moved or supported, denouncing the Executive Government pretty freely had been adopted, and he hoped to live to do so again more than once, and the right which he claimed for himself in that respect he did not grudge to his fellow-men. But while he did not wish to prevent those persons at proper times and places airing their eloquence so long as they kept within the bounds of law and public decency, he desired to see others protected in the enjoyment of their privileges. What was the nature of those gatherings, of what elements were they composed, and who were the persons interested in the demonstrations being kept within reasonable limits? His hon. and learned Friend the Member for Oxford (Mr. Harcourt) was very fond of talking of carriage company and of the fashionable classes as if the upper ten thousand were specially interested in the limiting of the demonstrations. They were not. It was well known to hon. Members that on Sundays — the day usually selected for the meetings—the Park was not the haunt of what were called the upper classes. It was notorious that at any rate by the Gentile portion —he did not mean the genteel, though the term might be applicable—of the fashionable world the Park was not frequented to any extent upon Sundays; he might say that it was used almost exclusively on that day by the artizan, who had worked during the other days of the week, and by his wife and children. He hoped, therefore, they would not have a repetition of the fallacy that it was the selfishness of the upper classes, who wished to keep the Park to themselves. But what was the nature of these gatherings? Were they in reality what were known as public meetings? They had been told that their forefathers had contended for the right of public meeting. But what resemblance was there between the meetings in question and those for which their forefathers had contended? None whatever. They were far more like those specimens of rowdyism which were so great a curse and discredit to the other side of the Atlantic. They were mere displays of physical force in in order to tyrannize rather than for calm discussion and argument. Those who had witnessed them would bear him out when he said that discussion was the furthest thing from their ideas; the speeches could rarely be heard except by a few, and the elements of which the gatherings were composed had no connection truly with the working man. They had only to glance at the names of those who took part in them to find that the *élite* of the working classes were absent. So far from their attending them they found in the chair some dismissed Revising Barrister, or some embryo County Court Judge, or perhaps for a little change they would find an ex-colonel, and on some occasions the ex-treasurer of a mess fund. Sometimes they were persons who might pass for workmen, but who no more represented that class than gingerbread without ginger—working men who never worked, glass-blowers who never blew a bottle, or cobblers who never mended a shoe, yet who pretended to represent the working men on these occasions in the eyes of the British public. Perhaps it was some person who was engaged in a ribald travesty of a Court of Justice, and who had been rewarded for his act of wanton violence in breaking into the Home Office by a grateful reception from a distinguished leader of a great political party. With these exceptions he could find no one who could *boná fidè* claim to be a working man taking part in these gatherings. At these meetings they also found that what were called mock litanies were very much in vogue. He would not insult the sense of the House by reading the details of these performances, but many persons were drawn to them from the spot where the stalest sedition was being spouted from the so-called chair; and these songs and tracts, which, with strange and perverse ingenuity, contrived to be at once disloyal, blasphemous, and obscene, found nevertheless a ready sale. He wished the House to reflect upon the contempt for authority engendered by these scenes. They found a person, he was going to say rewarded, who was connected with the discreditable scenes of 1866, when the Park railings were pulled down. That individual was, however, it was only fair to add, speedily brought into a Court of Justice by the present Government; but to the astonishment of the public, he was placed not in the dock, but on the bench. He did not say this with a view of casting a stone at the learned gentleman, but as a reflection upon those who had placed him in that position. As to the learned gentleman himself, he never mentioned his name without feeling the deepest gratitude to him, because it was to him they were indebted for the greatest metropolitan improvement of modern times — the widening of Park Lane and for the new palings. There were circumstances attending the last demonstration in Hyde Park on Sunday week which he specially desired to bring under the notice of the House. That was not a hole-and-corner affair got up in one of the "pot-houses" referred to by the Chief Commissioner, without notice and by obscure persons, but was resolved upon at a densely crowded meeting of delegates somewhere at Bow, at which it was agreed that "in the interests of order and decorum," notice of the intended procession should be sent to his Royal Highness the Duke of Cambridge, as Chief Ranger of Hyde Park, and to the Chief Commissioner of Works. The drift of their communication was a request that the gardeners and Park keepers should be directed to prevent boys from climbing the trees, and injuring the plants and shrubs, because "in a large concourse of persons (they added) there would always be unruly persons whose acts brought discredit"—not upon the public but—"upon the meeting." This statement on the part of the promoters of the demonstrations was a confession that they had the effect of collecting a crowd of persons whose mischievous tendencies they too shrewdly suspected. The account wound up with the remarkable resolution—"That the procession should not be broken on its route, except by a funeral or a fire engine." Never in the course of his life had he heard of anything approaching such a point of audacity as this, that the persons promoting these meetings in Hyde Park arrogated to themselves the right of stopping the traffic of the metropolis for at least 25 minutes—the time which it took the procession to pass a given point, according to his own observation. They not only undertook to stop the traffic, but the police were charged with carrying their imperial behests into effect. Did the authorities meet such notices by telling these persons that they would endeavour to protect them as long as they conformed to the law of the country? Far from it. He went to the rendezvous in Trafalgar Square, whence the procession started. He saw them again in another part of the route, and lastly in the Park, and he felt bound to say in the whole of St. James's Street the most minute observation on his own part, and on that of friends who were with him, failed to detect a single guardian of the peace, and for 25 minutes one of the main arteries of the metropolis was handed over to the tender mercies of a body of roughs. There were the usual bands and banners and emblems, more or less seditious, in the procession; but the House would hardly believe him when he said that at different stages of the route persons stepped forward to turn away the cabs and private carriages, and prevent them from breaking the line of the procession. He watched one person in a cab with a portmanteau upon it who was kept waiting for 15 minutes, while his train was probably gliding away from the station. He was informed on reliable authority that a noble Lord who occupied a high position in the Councils of the Sovereign, and who at that very moment was designed by public rumour for a position still higher, was stopped by this procession. His noble Friend the Member for Marlborough (Lord Ernest Bruce) was, he had heard, also stopped. One of the Park Rules said that there must be no unauthorized playing of any music in the Parks. If an organ-grinder had attempted to play the "Old Hundredth" he would soon have been taken to prison. There were bands however—one playing the "Marseillaise" and another the "Wearing of the Green"—under the protection of the guardians of public order. The Park was a perfect fair. There were people selling oranges, buns, cocoa-nuts, and other nuts, with the usual cry of "Crack 'em and try 'em before you buy 'em." At one time he thought that the right hon. Gentleman the Member for Greenwich, finding his engagements too numerous to enable him to visit his constituents, was reduced to the extremity of reviving the old Conservative institution of Greenwich fair, and had invited them into the Park. The Park Regulations said that "no person should sell or let any commodity." Now, if the Chief Commissioner had been there—[Mr. AYRTON: I was there]. If so, why did not the right hon. Gentleman see that his Rules were enforced? Perhaps he was of opinion that it was the duty of the right hon. Gentleman on his right (the Home Secretary) to enforce these Rules. He should like to hear from the Home Secretary whether he had communicated to the Chief Commissioner of Police that the Rules of the Park were to be duly and efficiently carried out. The police were fully justified in not carrying out the ordinary Rules of the Park, because the feelings of common humanity would have been outraged at the spectacle of two full-grown constables dragging an orange girl to gaol, while the most flagrant violation, not only of the Rules of the Park, but of common decency and decorum, was elsewhere permitted. The litany men were present, but perhaps thinking some respect was due to the season of Lent, they did not appear in canonicals. A journal called *The Republican* was on sale, directed against "Kings, Queens, Princes, Priests, and Policemen," and the scene he then witnessed led him to think now of less-favoured regions — say Sloane Square. We lived in a Happy Land, in which any amount of blasphemy, sedition, and obscenity was not only pardoned, but promoted and encouraged by the authorities—["No, no!"]—because it was carried on under the eyes of the police without their moving a finger to stop it—provided no sentence was interpolated which would provoke a smile at the expense of any Minister of the Crown. He believed the Rules, especially those issued by the Government on July 11, were framed to meet a danger known to exist—namely, that rival meetings might be got up on the same day, that sentiments inimical to those expressed by the promoters might be denunciated by others, and that a row might ensue. But had those dangers ceased to exist? Was there no danger of an Orange demonstration, which might, perhaps, end very much as did certain gatherings at Reading and Windsor, where certain fundamental and organic changes in the constitution of this country were openly handled? No, those dangers had not ceased. The English people, though law-abiding to a degree, were not disposed to brook these insults against institutions under which the country had so long prospered; and, in the absence of other protectors of decency, they had not abandoned their right of appeal to a Judge whose *mandamus* could override even that of a County Court Judge—he meant Judge Lynch. He had no wish to advocate a resort to the arbitrament of this personage, but the danger was not one to be lost sight of. In many parts of the country People's Parks had been given by philanthropic gentlemen like the late Sir Francis Crossley, and his hon. Friend the Member for Middlesborough (Mr. Bolckow), and rules had been framed under the direction of those benefactors, and with the full consent of the people for whose interest they were prepared, specially prohibiting all political and other meetings there. He was only asking the House to frame in the case of the Royal Parks the same regulations as had been adopted in almost every provincial Park under public control. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

MR. BAILLIE COCHRANE, in seconding the Motion of his hon. Friend (Mr. Lowther), said, the last Sunday demonstration in Hyde Park seemed to have been—he presumed by the authority of the right hon. Gentleman—placed under the special protection of the police; for a Mr. Mooney stated that, on the part of the people who were to take part in it, he had had an interview with Colonel Henderson, who received him most kindly, and promised that the police would protect the procession in its progress through London. He was glad the subject had been brought before the House. The supporters of this Motion were speaking, not against the liberties of the people, but for the liberties of the people; they were speaking against the tyranny of a set of roughs, and against the tyranny of mobs, which was of all tyrannies the worst. He himself saw carriages detained at Hyde Park Corner for 25 minutes while these roughs, accompanied by women of the lowest class, and displaying flags and banners, were allowed to pass by. The working men of London had little to do with such demonstrations; it was the roughs of London who chose to collect together and block the streets of London in this way on a Sunday. He had an important document to read to the House in support of his hon. Friend's description of the people who went with these processions. It referred to the Amnesty Meeting of November, 1872, but he was assured that the handbill announcing the last meeting was exactly similar. The handbill said—

> "To the Working Classes of London—Monster Amnesty Meeting in Hyde Park on Sunday, November 3, 1872.—A grand demonstration, similar to that which took place in October, 1869, will be held in Hyde Park, to demand the unconditional release of the Fenian prisoners, and to protest against their infamous treatment and the Algerine acts now in force in Ireland. Trusted representatives of the Proletarians, of all countries" (this was the International Society) "will take part in the proceedings. The people will meet in their respective districts, and under the direction of local committees proceed in military order four deep towards Trafalgar Square, which will be the central point of rendezvous for the entire procession. The International sections, Republican clubs, trades and other associations, will assemble in places appointed by their officers, from whence they will proceed to Trafalgar Square. Proletarians of all countries—Mr. Gladstone, the Bomba of Ireland, has again refused to release the 42 Irish political prisoners from the gaols of England, in which they are subjected to the most cruel treatment. Assemble in your tens of thousands to demand their release in the name of outraged humanity. English working men, arise from your apathy, and show the world that you sympathize with your Irish brothers, and that they are detained in cruel confinement against your will. Speak out boldly now, and at the next elections kick out the brutal gaolers who misrepresent you in the British House of Commons."

That document almost seemed a burlesque. It seemed as if the whole of this procession was intended as a joke. But it was not intended as a joke, and when a procession was summoned by that kind of language, and passed through the streets of London on a Sunday under the protection of the police, he did not hesitate to say that it was a disgrace to the civilization of this City, and, he must add, it was almost a disgrace to the House of Commons and to the Government that such a thing should be permitted. He knew that it was not the working men but the roughs of London who collected on these occasions and blocked the streets, and he regretted that the capital of England should be disgraced by such exhibitions. In conclusion he wished to know from the right hon. Gentleman whether it was true that, at an interview with the Chief Commissioner of Metropolitan Police, Colonel Henderson really promised that the police should protect this procession.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that rules be drawn up for the more effectual protection of Her Majesty's subjects while availing themselves of the privilege accorded them of using the Royal Parks for purposes of recreation by prohibiting the delivery of public addresses in such parks."—(*Mr. James Lowther.*)

Mr. AUBERON HERBERT, in rising to move as an Amendment—

"That this House approves of the Rules lately issued by Her Majesty's Government for the Regulation of the Royal Parks, and is of opinion that no alteration affecting the existing rights of public meeting therein should be made unless previously approved by Parliament,"

said he believed it was an object of hon. Members who sat below the gangway on both sides of the House to watch over the consistency, the straightforwardness, and the many other virtues of the right hon. Gentlemen who sat above them, and his hon. Friend (Mr. Lowther) opposite hoped by his Motion to commit some right hon. Gentlemen who he observed had taken great care not to be there that night to some plain statements which he had submitted. However much he admired the straightforwardness and plainness of speech of his hon. Friend, he could not but feel that the advice he had offered was rash and extreme. It was advice which ought not to be followed, and which was besides impracticable.

The object which he (Mr. A. Herbert) had in moving the Amendment of which he had given Notice was much humbler than that of his hon. Friend. He only wished to put temptation out of the reach of hon. Gentlemen on whichever side they sat. He did not think this was a matter to which they could look back with satisfaction on either side of the House. But a satisfactory solution of the difficulties had been arrived at. He would not criticize the conduct of the Government in this matter, because they were sinners who had repented. The Government were now acting on sound principles, and he would venture to say to them in the words of the proverb, that "Catch Hold was a good dog, but Keep Hold was a better," and to hope that they would persevere in the path on which they had entered. There were a great many different kinds of recreation, especially in the Parks, with none of which they desired to interfere. And why should the hon. Members opposite desire to interfere? Some people found recreation in walking, some in riding, some in sitting on chairs—for the use of which they paid 2d.—and smoking cigars, some in riding thoroughbred hacks. There was another class who found recreation in being drawn in carriages in an endless circle, and who reminded one of unhappy spirits in a region described by Dante. He did not quarrel with these kinds of recreation, but if it was a recreation to some of the public to meet in a Park on any day to express their opinions on public affairs and criticize what had passed, why should they not have the same freedom of enjoying their recreation as was accorded to the other classes he had mentioned? The real grievance of his hon. Friend was that these meetings slightly delayed the carriages of noble Lords and hon. Gentlemen. The only people that seemed to find favour with his hon. Friend were the orange women. He was kind enough to say he did not complain of them. But if a man attempted to sell a penny paper in one of the Parks, in the opinion of his hon. Friend, he ought to be dealt with by the Metropolitan Police. His hon. Friend said he watched for 25 minutes the meeting that was held a few days ago in Hyde Park, and there was not one policeman to be seen. Was not that testimony to the good conduct of the meeting? The truth was that since the

Government had allowed these meetings to be held a great change of temper had occurred, and those who convened these meetings took every step in their power to make them thoroughly orderly and respectable. His hon. Friend had talked about crowds in New York. He (Mr. A. Herbert) had seen meetings in the squares of New York comprising many thousands of people, all of whom had conducted themselves in a perfectly peaceable and orderly manner. What was the reason of that? Simply because the Government was wise enough not to attempt to offer the slightest opposition to those meetings. He believed we had learnt one thing, namely, that the greatest safety lay in a perfectly free and open discussion of everything. He knew there were the elements of danger and revolution in this country as in every other country. Through the neglect and unjust character of much of our past legislation some bad temper had been excited among a portion of the people of this country, but he frankly owned that he did not sympathize with that temper. If it were desired to give the dangers that now existed an explosive force which at present they did not possess, it was only necessary to attempt to restrain and restrict the right of open and free discussion. In this country we, doubtless, had to contend with some disadvantages, but we had not to contend against secret societies. Whatever was felt came freely to the surface and was openly expressed, and thus our safety was ensured. Should the time ever arrive, as he believed it might, when we in this country might make grievous mistakes in the way of rash experiments, our only safety would lie in our perfect freedom of discussion, which would enable us to recover ourselves and to rectify our mistake without vital injury to the nation. The hon. Gentleman concluded by moving the Amendment of which he had given Notice.

MR. RYLANDS, in seconding the Amendment, said, he felt bound to defend the action of the Government, who, however they might have erred originally in the matter, had at length fully repented of their error, and had done their best to rectify it. The hon. Member for York (Mr. Lowther) had referred to the clauses which authorized the right hon. Gentleman the First Commissioner of Works to frame Rules for the government of the Parks, but he had not stated how it was that that clause came to be inserted in the Bill. The hon. Member who doubtless possessed great ability ["Hear, hear!"], great ability for mischief, had himself proposed the insertion of that clause in the Bill, when it was under the consideration of the Select Committee some two years ago, and he succeeded in carrying his proposal, by a majority of 1, in the absence of two hon. Members who supported the views of the Government on the Committee. But when the Bill came back to that House thus amended, the right hon. Gentleman at the head of the Board of Works declined the responsibility of the measure. He (Mr. Rylands) had complained on a former occasion that the right hon. Gentleman the First Commissioner of Works had for some unknown reason introduced that clause into his Bill in 1872, although he had withdrawn the measure he had brought forward in 1871, because a Motion for inserting a similar clause into it had been carried. Fortunately, however, Her Majesty's Government, after making one or two false moves in connection with this subject, had framed Rules under that clause for the government of the Parks, which were perfectly unobjectionable. The hon. Member for York was dissatisfied, because Her Majesty's Government had shown a disposition to make a concession to public opinion, and in favour of public rights, and acting no doubt consistently with the opinions he entertained on the subject in 1871, now asked the House to agree to an address to Her Majesty praying that she would prevent public addresses being delivered in the Parks, which would effect the same object which he had sought for by his Amendment in the previous Bill. But where were now those right hon. Gentlemen who had in 1871 supported the views of the hon. Member for York? Circumstances had since then greatly changed. That the hon. Member would not obtain universal support on this question from even his own side of the House was evident by the state of the Opposition front benches. The unoccupied condition of those benches was an eloquent expression of opinion on the part of the hon. Member's political leader. ["No, no!"] The hon. Member might dispute the fact as much as he liked, but there could be no doubt that the right hon. Member for Buckinghamshire was his political leader. The reason why those benches were so deserted on this occasion was because the time had arrived when the Conservative leaders felt themselves on the threshold of office. Did the hon. Member for York think that the right hon. Gentleman the Member for Cambridge University (Mr. Walpole) were he again Home Secretary would support his proposition and attempt to prevent public meetings being held in the Parks? Did he imagine that the right hon. Gentleman the Member for Oxford University (Mr. G. Hardy), if again in office, would countenance such a measure as the hon. Gentleman now advocated? He admitted that on the fringe of great public assemblies something improper and objectionable might occur, and he fully endorsed the opinion of the hon. Member that the mock litanies which were performed on such occasions were most disgraceful. That fact, however, furnished no reason why the people should be prohibited from expressing their opinions in the Royal Parks or other public places. By adopting the advice of the hon. Member for York on this subject they would take a course like that of a man who sat upon the safety valve whilst the steam was rising in the boiler, and thus occasioned an explosion which spread death and destruction around. It was true that munificent gentlemen who gave parks to towns in the country usually made it a condition that political meetings should not be held in them; but the Royal Parks occupied a different position altogether, inasmuch as they were not the gifts of any individuals—they were the property of the people. ["No, no!"] He said "Yes." The people had bought them over and over again, and had given for them a great deal more than they were worth. The property belonged to the people, and it had been paid for out of the public taxation. The grants made by Parliament to the Crown in successive reigns amounted to more than the value of the Parks, and though, no doubt, they might produce a large sum if cut up for building purposes, those grants were made in times gone by, when no such sum could have been realized. The hon. Member for York might have refrained from any allusion to a learned gentleman whose name was associated with this question. He would only say that that learned gentleman's conduct in the assertion of a public right was no disqualification for the position to which the Government had appointed him, and which his professional standing entitled him to fill.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House approves of the Rules lately issued by Her Majesty's Government for the Regulation of the Royal Parks, and is of opinion that no alteration affecting the existing rights of public meeting therein should be made unless previously approved by Parliament," — (*Mr. Auberon Herbert,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. STRAIGHT said, he could not quite agree with the hon. Member for York (Mr. Lowther), because he should be the last to put a stop to fair and free public discussion on public matters; but, at the same time, he contended that there was a middle course between unduly checking free discussion, and an indiscriminate permission to hold gatherings which were a nuisance to the general public. He believed the Prime Minister was out of town on the Sunday which had been referred to. Had he seen the gathering permitted to form a procession, he would have felt that such proceedings ought not to be countenanced. Long processions in the public thoroughfares were not essential to public meetings, but were clearly a nuisance. He could not help recollecting a discussion which took place in 1871 when the subject was the Phœnix Park Riots, and a Motion was brought forward by the hon. Member for Kilkenny (Sir John Gray), which censured the Government for dispersing a meeting in the Phœnix Park, Dublin, respecting the release of the Fenian prisoners, a subject which the Prime Minister then declared to be one on which such a gathering could not be permitted. It was strange, therefore, that a public discussion of the same subject should be allowed in Hyde Park. The Executive Government should have the discretionary power of confining these meetings within reasonable limits, for the licence advocated by the hon. Member for Nottingham (Mr. A. Herbert) might lead to the public discussion of questionable subjects prejudicial to the morals of nursemaids and the Life Guards accompanying them. Hon. Members who did not reside in London ought to have a little consideration in that matter for those who were compelled to do so, and who were subjected to the great inconvenience and annoyance caused by those processions. The hon. Member for York had referred to the fact that a Cabinet Minister was stopped on his way through the streets by the mob and delayed on a Sunday; but with the extreme gallantry which belonged to him that right hon. Gentleman cut his way through the advancing hosts, and found himself on the other side of Piccadilly. Without wishing any harm to any right hon. Gentleman, he feared that until some catastrophe happened to a Cabinet Minister through these processions in these great thoroughfares, the public would obtain no relief from so serious a nuisance.

Mr. AYRTON said, that the propositions had been brought under the consideration of the House at some length by two hon. Gentlemen who, after the very prolonged discussions on the Royal Parks Bill last Session, both found themselves under the painful necessity of expressing their objection to the passing of that measure when all the rest of the House were satisfied that it ought to become law. How was it that those hon. Gentlemen were so restless? He believed it arose from the fact that they entertained most extreme opinions. The hon. Member for York (Mr. Lowther) was extremely Conservative, and yet he objected that under his own provision it was possible for any body of the people to express their opinions in any of the Royal Parks; while the hon. Member for Nottingham (Mr. Herbert) was equally dissatisfied because it might be impossible for some of the people to express their opinions in the developement of Republican principles, which he thought ought to be advanced by peaceful means and not by violence. That was a question which the House by its unanimity last year showed ought to be approached with reason and moderation; and it was rather remarkable that the hon. Gentlemen who had been most eminent in that House in discussing that subject had never had imposed on them by their constituents the duty of watching over the interests of the metropolis. He thought the Members for the Metropolis were always quite competent and sufficiently active to bring forward any grievance under which their constituents laboured; yet, strange to say, the voice of none of those hon. Gentlemen had been raised in complaint against the manner in which the Parks Act had been carried out. The discussions which had arisen appeared to proceed from the excessive spirit of contention by which some hon. Gentlemen were animated in favour of their own peculiar views. He was surprised to find so distinguished a Conservative as the hon. Member for York objecting to the holding of public meetings in London. Did the hon. Member forget that processions and gatherings of the people were among the most ancient and most Conservative institutions in the world, and were universal in England until they were superseded by the modern invention of printing, which enabled people to communicate their ideas by other means; and the practice of holding popular gatherings was falling into disuse, in proportion as printing, writing, and reading increased. Therefore instead of coming there to object, the hon. Member ought rather to have come to complain that an ancient institution was decaying away. Now, representations had been made to him that there were occasions when people in the metropolis desired to meet for discussion at less expense than if they had to hire halls for the purpose; therefore he had undertaken to make such arrangements as would give them as much facility for expressing their opinions to the assemblies which they wished to convene in the Park as they would have enjoyed if they met in a hall. The first set of Park Rules was made in fulfilment of that pledge. It would have been a breach of faith towards the House and towards those who had made those representations if the Rules had not been as precise as they were, in order not only to confer that particular privilege, but to secure its enjoyment without interruption. It turned out, however, that the first set of Rules did not satisfy everybody, and that some people were determined to assert a right to set at defiance any Rules or restrictions which might be laid down. When that line was adopted there was but one course to pursue in regard to it—namely, to assert the rights of the Crown and the authority of Parliament by prosecuting those who so acted. The prosecution showed that those parties were entirely in the wrong. The Rules had all been framed for the same purpose—namely, to regulate the enjoyment of the Parks so far as to prevent abuse. The last Rules like the first provided that persons going into the Parks to deliver addresses should not destroy the general enjoyment of the Parks. They also provided that the delivery of the addresses should be subordinate to the authorities and to all those rights which were reserved to Her Majesty; and if they were rather less precise than those that went before they still left the question as a whole very much as it stood under the first arrangement, and the matter might now very well have been allowed to rest. He had been asked by the hon. Member who seconded the motion (Mr. B. Cochrane) whether he had sent for the Chief Commissioner of Police, and directed him to allow the meeting held a few days ago to be carried on without interruption. That question arose from a misapprehension of the First Commissioner's duty. The general use of the Park was entirely under the control of the Ranger, and the police were placed in the Park to uphold the Ranger's authority in the discharge of his duty. The First Commissioner of Works had no power to send for the Chief Commissioner of Police or to give him any directions in regard to any meeting held in the Park. He hoped the hon. Member for York (Mr. Lowther) would see that under the circumstances it was inopportune to press his Resolution on the notice of the House. If that motion was inopportune the Amendment of the hon. Member for Nottingham (Mr. Herbert) was one which could not be entertained. It stated that no alteration affecting the "existing rights" of public meeting therein should be made unless previously approved by Parliament. Now there were no "existing rights," and it would be impossible to agree to these words. A misapprehension existed that the Crown had given up its rights. Now the Crown had never surrendered its rights to the public. What the Sovereign did on Her accession to the Throne was to surrender the property of the Crown lands as part of the public revenue, but the Parks, not being kept for the purposes of profit, were not at all surrendered, and remained in the Sovereign precisely in the same way as Her Palaces. It would, therefore, be quite wrong to pass a Resolution in the terms proposed by his hon. Friend the Member for Nottingham. He hoped, therefore, he would be satisfied with having used it as a text for promulgating his views on the subject, and that he and the hon. Member for York would pair their opinions one against the other.

Mr. CAVENDISH BENTINCK said, he had listened with some curiosity to the speeches which had been made to see whether any answer would be given to the statements of his hon. Friend the Member for York (Mr. Lowther), but, not having heard any, he must again call the attention of the House to the main points which he had raised. Though he was prepared to vote for the Motion of his hon. Friend, he was afraid it would not be carried, for the occupants of the two front benches were both tarred in this matter with the same brush. The hon. Member for Warrington (Mr. Rylands) who addressed the House very frequently and with great ability, seemed to be so much engrossed with his own speeches that he had not time to attend to the facts of the case, otherwise he would have a more accurate knowledge of what had actually occurred. At the time when the Rules were framed there were two courses open to the Government, either to throw open the Parks to the lawless individuals who were patronized by the hon. Gentleman the Member for Warrington and by the hon. Member for Nottingham (Mr. Herbert), or to pass the Parks Bill and to frame regulations in accordance with the measure. The latter was the course which they took, but owing to their vacillation, they had brought the law into the utmost discredit. They had passed he did not know how many sets of Rules within the last three months for the purpose of regulating the meetings in the Parks, but he could not believe it possible that there could have been, notwithstanding, any such systematic violation of the law as had occurred on the 3rd of November. The police were, in the first place, entirely withdrawn from the Parks, and the speakers at the meeting—who, as usual, played but a small part in the proceedings, were stationed beyond the legal distance from the post which had been set up by the Chief Commissioner. A body composed of at least 50 or 60 persons ascended the trees, and he himself saw at least one branch of a tree broken off in the most deliberate manner, which must have measured 25 feet. [An hon. MEMBER: The "Upas tree."] That was not all gone; there was one branch standing yet. There were, besides, persons offering for sale scurrilous verses on Her Majesty, a blasphemous litany, and other articles acceptable to a mob; and why had not such a state of things been put a stop to by the Secretary of State for the Home Department? Did the right hon. Gentleman think such exhibitions as those were proper on a Sunday afternoon? He happened on the evening of the day in question to meet a London stipendiary magistrate of great experience, to whom he had put the question whether, if he were to walk down Rotten Row on any afternoon in the week, and to offer for sale sticks or gingerbread nuts, he would do anything to him if he were brought before him? The answer was that he would be sent to prison for a month. Yet a Liberal Government allowed men to talk sedition and treason in the Park on Sunday afternoon with impunity. But that was not all; the trees having been broken down, the wood was openly stolen and taken out of the Park. He saw a policeman standing at Albert Gate when a person was coming out with an armful of sticks, and when he asked him why he did not interfere, the policeman merely shrugged his shoulders, saying that he had orders not to meddle in the matter. Where, he should like to know, was the justice of permitting treason to be rampant when offences much less heinous were punished by having the names of those who committed them placarded? He did not see the meeting in the Park last Sunday week, but he had heard that what had occurred there was but a repetition of the scene of the 3rd of November, and he should like to ask the hon. Member for Nottingham, who said no act of violence had been committed, what he thought of the destruction of national property and the forcible stopping of hackney carriages? But besides the Park Act there was the Metropolitan Police Act, which rendered it a punishable offence to obstruct the streets, to sell or exhibit indecent or scandalous publications, or to destroy trees. The provisions of that Act had therefore been broken with impunity. Why, he asked, had they not been enforced? The right hon. Gentleman the First Commissioner of Works said he was not responsible. It was quite true that he did not control the police, nor did the Ranger of the Park, but the Home Secretary was answerable for the offences that had been committed, and to him the public had a right to look to see that the law was enforced and breaches of the law punished. Why was it, he asked, that while the leaders of these demonstrations were allowed to set the law at defiance, lesser offenders, who were not guilty of sedition, were apprehended and punished? He ventured to say that the great majority of the ratepayers were opposed to such demonstrations. The Government had talked a great deal about a policy of equality, but if they meant anything by that, why did they allow Mr. Odger and others to break the law? Ruffianism was tolerated, while respectability was oppressed. The fact was, what in the ruffian was a choleric word, that in the respectable was rank blasphemy. An hon. Member opposite had proposed to stop the delivery of letters on a Sunday, but did he not think that he might effect some good by helping to stop displays of this kind on that day? He hoped Her Majesty's Government would not only be able to offer a satisfactory explanation to the House for their supineness, but also to give some guarantee to the inhabitants of the metropolis that the law—so far as they could secure that end—would be observed in the future.

MR. BRUCE said, he rose with pleasure to answer the question of his hon. Friend (Mr. Bentinck), and, in doing so, would endeavour to keep separate, issues which had by his hon. Friend and others been treated as one. The first was, whether the Parks should be used for public meetings; and the next whether, if so, they should be used in a decent, orderly manner, in accordance with the law. The first point he must decline to argue, assuming—and he thought the House would agree with him—that it had been already settled in the long discussions on the Parks Bill last Session. But, with respect to the second, his hon. Friend had raised a very fair question, and was entitled to an answer. His hon. Friend complained that scenes of disorder had occurred in the Parks which had not been punished, and that, in the case of obstructions in the streets, the Police Acts had not been enforced. With respect to what happened in November last, his hon. Friend had forgotten to inform the House that no fewer than 12 persons had been summoned—[Mr. BENTINCK: For addresses]—before the magistrates for violation of the law. He was not there to defend any such violation of the law, or any address delivered, or act committed contrary to law, and he quite agreed with his hon. Friend that if the police had witnessed the destruction of trees, it was their duty to have taken the offender into custody. There had been a breach of the law by the delivery of addresses contrary to the Rules, and with that offence the parties committing it were charged. Subsequently, other meetings were held, and applications were made to the magistrates to issue summonses, but they declined, on the ground that it was not their practice to do so when a case had been granted which raised the question whether the proceedings were or were not legal. In fact, the legality of the Rules was the question to be decided under the case which was submitted for the decision of the Superior Court. With respect to what happened on last Sunday week, he had listened attentively to the statement of his hon. Friend (Mr. Lowther) who had moved the Resolution with so much ability; but he found that the whole of his speech was taken up with what had occurred as to the obstruction of the streets. His hon. Friend had mentioned one act of violence—namely, an assault on the soldier who had been so seriously injured. It was his (Mr. Bruce's) duty to inquire into that case, and he had done so. He sent an inspector of police to visit the poor man, and he assured the inspector that what had happened was entirely by accident—that he was in a great hurry to get away, but had not been pushed, struck, or assaulted. He was bound to say that the reports he had read in all the newspapers confirmed the reports from other sources, and bore testimony to the order and good conduct of the persons attending the meeting. They consisted of a number of Irishmen celebrating by anticipation their national festival, and discharging at the same time what they considered to be a duty of patriotism. He did not agree with them, but he was bound to say he had heard of no instance of violence or of improper conduct on the part of those men, or of injury to the trees of the Park. With respect to the obstruction in the streets, it was impossible that meetings could be held in the Parks without a procession being formed in the streets. When large numbers of persons converged towards the Park some obstruction must necessarily be caused, and a certain amount of latitude should be allowed. Undoubtedly, it was the duty of the police to see that that obstruction was reduced to a minimum, and that free transit was allowed to all persons in pursuing their ordinary business. His hon. Friend would remember that a Question was put to him by the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) with respect to the instructions he had given to the Chief Commissioner of Police, and he replied to the effect he had just mentioned. The principal promoter of the meeting called on the Chief Commissioner of Police to make inquiry on the subject, and he had no doubt the Chief Commissioner informed him he had given instructions to take on that occasion, as on all others, all necessary measures for the preservation of order. There would, he thought, be no disagreement on either side of the House as to that part of the question. His hon. Friend opposite the Member for Whitehaven (Mr. Bentinck) had stated cases of offence against the law which he had seen committed. If they were committed in the presence of the police, it was a very gross breach of duty on their part not to have acted strenuously and promptly. He only wished his hon. Friend had communicated with him, and he should at once have endeavoured, not only to punish the offenders, but also those who had allowed the offence to be committed without arresting the guilty persons. It was not his intention to enter into the question of the general policy of the Rules. With respect to that, he was well content to rest his position on the arguments of his right hon. Friend the Chief Commissioner of Works. He rose simply to answer the challenge of his hon. Friend opposite, and he hoped he had done so satisfactorily.

MR. OTWAY said, that after they had arrived at a satisfactory settlement of this irritating question, it was a matter of regret that it should have again been raised. He rose to enter his protest against the impression which the First Commissioner of Works had endeavoured to convey, that the Parks Bill of last year had been passed with unanimity. On the contrary, he and his hon. Friends near him had protested night after night against the mischievous, irritating, and foolish legislation which the First Commissioner had introduced. He told the right hon. Gentleman that some of the Regulations he proposed were mischievous and absurd; that they must inevitably be defeated; and the right hon. Gentleman, receiving his remarks with the urbanity and courtesy which distinguished him, replied that these were just the Regulations which he thought most necessary. They only allowed the Bill to pass on the promise of the right hon. Gentleman that the use of the Parks by the public was to continue as heretofore; but no sooner did the Bill become law than it was found, as he and others predicted, that these annoying and useless Regulations could not possibly be maintained; and these Regulations, which one would have supposed could only have emanated from King Theodore, of Abyssinia, had now been prudently withdrawn by the Government. He regretted that so irritating a subject should now be revived, and wondered that the hon. Member opposite (Mr. Lowther) should seek to identify his party with what appeared to be restrictions upon popular rights. He reminded the hon. Member that the most Conservative leader of the Conservative party, the late Lord Derby, was of opinion that some place of public resort in the metropolis should be given to the people for out-door meetings. Working men had not the means of acquiring music-halls or other places in-doors, and even if they had it was desirable, always providing that order was maintained, that they should be able to meet in open spaces. In his opinion Hyde Park was not the best place for holding public meetings; but, at the same time, having witnessed many demonstrations there, he was bound to say he had never seen any inconvenience arising from them. The meetings were held in a part of the Park which was not frequented by fashionable people. It seemed to him most unwise to raise that question again, and, under all the circumstances, he trusted that the hon. Gentleman would not press the Motion to a division.

MR. J. G. TALBOT said, he would support the Resolution as a protest against the favourite doctrine of the present day, that the noisy portion of the community represented the people. He believed that the mass of English people, strictly so called, were a most eminently order-loving and law-abiding people, and that they entirely objected to the use of the Parks which was now so much in vogue. The Home Secretary said that they had now made certain Rules, and that they might trust to the good sense of the people. The answer to that was that they knew those Rules by their fruits. They saw what those Rules had produced, and they were not satisfied with the result. This was not a question of the fashionable part of the community against the poorer portion. He believed that if the people who availed themselves of the public Parks on Sundays were asked their opinion, they would say that the public demonstrations interfered with the peaceable and orderly enjoyment of the Parks. A letter describing one of these meetings in November had been sent to the newspapers by a Liberal M.P. [An Hon. MEMBER: It was anonymous.] It might be true and yet anonymous; and if it were not true, let the hon. Member who wrote it rise and say so. The writer said that there were the same disgraceful proceedings, the same blasphemous litanies, and the same obscene rubbish that had marked previous meeting. The letter went on to say that the most shocking things were said of the Queen, and further, that litanies of the most blasphemous and obscene character were read and sold. Now, whatever might be the sentiments of hon. Members of this House on matters of religion, he was sure they would one and all, repudiate the travestying, blaspheming, or ridiculing, of any of the sacred doctrines of Christianity. He went one step further, and said that if religion was to be dealt with in the Parks, at all events there ought to be fair play. If anyone unwisely tried to preach upon religious subjects to a miscellaneous audience in the Parks, he would soon be put down by authority; but those persons, who travestied religion, blasphemed its doctrines, mocked its ceremonies, and insulted its professors, were allowed to pursue their calling unchecked. Such a state of things was not only unworthy of a Christian nation, but it was repugnant to common justice, and if the House could not put an end to the inconsistency in the name of common Christianity, let it condemn it in the name of common justice.

Mr. TIPPING said, he wished to point out that the meetings held in the Parks were utterly un-English and were merely an imitation of those French meetings which were always held prior to revolutionary attempts. As their only object was to overawe, alarm, intimidate, and annoy, no legitimate excuse could be set up for them, and to put them down altogether would be no real interference with free speech or the right of public meeting. Whenever a demonstration of this kind occurred in the Park, it must necessarily interfere with the pleasure of those who usually walked there, and although the roughs might not be afraid of the dowagers to whom allusion had been made, the dowagers might very well be excused if they were afraid of the roughs. He felt bound to vote with the hon. Member for York in the interest of liberty and the rights of the masses.

Mr. SCOURFIELD remarked that if the majesty of the law were obscured by the assembling of thousands in the Parks on a Sunday, it was some consolation to know that it would be vindicated the next day probably by a policeman ordering a little boy looking into a fruit shop to "move on."

Mr. C. E. LEWIS said, that he could not vote for the Motion of the hon. Member for York (Mr. Lowther) because he believed that if it were carried it would only aggravate the evils complained of. He advised therefore that the Motion should be withdrawn.

Mr. J. LOWTHER in reply, said, the hon. Gentleman who had just sat down was connected with a constituency who were exceedingly fond of processions, and his views on the subject might therefore be peculiar. He (Mr. Lowther) must insist on taking the sense of the House upon his Motion.

Mr. GLADSTONE said, it was not possible for the Government to support the Amendment, on account of the words with which it closed, and they would therefore vote against both the Amendment and the original Motion.

Question put.

The House *divided:*—Ayes 142; Noes 46: Majority 96.

Mr. W. H. SMITH rose to entreat his hon. Friend the Member for York to withdraw his Motion. A statement had been made to the effect that during the debate which took place last year no hon. Member representing the metropolis had spoken on the Motion before the House. ["No, no!"] He understood the right hon. Gentleman the Home Secretary to give an assurance on the part of the Government that the Act of Parliament which had been passed on the subject of the Parks, and the Rules which had the force of law and had obtained the sanction of Government, would be observed so far as the police and the Government were concerned. The responsibility for the observance of the Rules practically rested with the Government, and he desired that that responsibility should be left with them. He understood that the right hon. Gentleman had practically given an undertaking that decent and orderly people who desired to use the Park for purposes of recreation would not be disturbed in that use, that the trees would be preserved from destruction, that open robbery and insult would not be permitted in the Park—in other words, that the police would do their duty. Respecting that assurance, and believing that it would be thoroughly respected by the Government, he thought it was desirable that the hon. Member for York should withdraw his Motion.

Mr. J. LOWTHER said, that the position which his hon. Friend occupied in the House and in the metropolis caused him to be listened to with respect, especially by one sitting on the same side of the House, and under the circumstances he felt it was only due to him to listen to his suggestion. The Motion was in the hands of the House, but it was not his wish to press it ["Divide!"].

Mr. SPEAKER: Does the hon. Member wish to withdraw his Motion. ["No, no!"] Does the House wish the Motion to be withdrawn? ["No!"]

Main Question put, and *negatived.*

ARMY.—EASTER MONDAY REVIEWS.

QUESTIONS.

LORD ELCHO wished to put a Question to his right hon Friend the Secretary of State for War in order to ascertain his opinions with respect to those Easter Monday Reviews. The Reviews in question were spontaneous on the part of the Metropolitan Volunteers, who were not compelled to take part in them; they were originated by Lord Ranelagh about four years ago, they had met with great success, and become very popular. The opinion of General Ellice last year was favourable to these reviews. It was said to their disparagement that the Volunteers were only anxious to show themselves, that the Reviews did not contribute to efficiency, and that they ought to be discouraged. Sir Hope Grant was the first to issue a Report that was unfavourable, and a letter was in consequence addressed to the Secretary of State asking whether he would give them his sanction. A reply was received from Lord Northbrook last year on the part of the Secretary of State, to the effect that the Field Marshal Commanding-in-Chief did not think these Reviews contributed to efficiency, but that if the Volunteers wished, permission would be accorded to hold them. They held their Review last Easter Monday, and the Report of the Quartermaster General was favourable. Subsequently a new regulation came out from the War Office, which stated that those large Reviews should not be counted towards efficiency. The impression produced was that the Secretary of State wished to discourage them. The Metropolitan commanding officers met to consider what they should do on Easter Monday, and they came to the conclusion to ask the Secretary of State whether he thought it was desirable that these Reviews should be held. The answer they received was not a direct answer, but merely stated that in the event of the commanding officers thinking it desirable that such Reviews should be held, he would not object to it. They were however already aware that there was no objection on their part, but they had hoped to learn whether in the opinion of the Secretary of State they were or were not desirable. The Metropolitan commanding officers felt it would be indecorous in them to enter into any correspondence on the subject, and resolved that, in the absence of any expression of opinion that these Reviews were conducive to the good of the force, it was not desirable that they should go out this year. The hon. Member for Cheltenham (Mr. H. B. Samuelson) had asked the Question whether any objection was raised on the part of the Secretary of State to these Reviews, but the question which ought to have been put was whether the right hon. Gentleman considered these Reviews were or were not beneficial to the force. That was the Question he wished now to put, in no hostile spirit, but in the interest of the force, which he knew the right hon. Gentleman had at heart.

MR. CHARLEY remarked that the Metropolitan Volunteers were strongly in favour of the Easter Monday Reviews, as much advantage accrued to them from parading with the regular forces. He wished to ask whether the right hon. Gentleman (Mr. Cardwell) had any objection to a Review of the Guards and of the Volunteers of London taking place on Easter Monday; and if not, whether he would give orders that it should take place?

MR. CARDWELL in reply, said, that in reference to the last question, if it was desired to have an answer from him upon a military arrangement he should have had notice to enable him to consult the military authorities upon the subject. With regard to the Questions of his noble Friend (Lord Elcho), he would say, in the first place, that he had always considered that the main reason for not holding the Easter Monday Review this year was one which had reference to railway fares. [Lord ELCHO: That was one element.] He understood it was no inconsiderable element. Two years ago Sir Hope Grant, who commanded at Aldershott, reviewed the Volunteers at Brighton, and his opinion was unfavourable to holding these Reviews at all in the manner in which they were held. His Royal Highness the Commander-in-Chief expressed his concurrence in the opinion so expressed. That was made known to the Volunteer officers, who expressed their willingness to accommodate themselves to any new arrangements that might be suggested. The War Office was, therefore, willing to facilitate the holding of these Reviews under new arrangements, and the Report of the Quartermaster-General was much more favourable than that of Sir Hope Grant. Then came the question whether there should be a Review this year, and he (Mr. Cardwell) was asked to express an opinion whether it was desirable it should be held. This divided itself into two parts, and so far as the military question was concerned he could not hold a different opinion from that expressed by the Commander-in-Chief and other military authorities; but as these Reviews were exceedingly popular, and were supposed to tend to encourage the force, as a sincere friend to the Volunteer cause, and wishing that their numbers and efficiency should be kept up, he had no hesitation in expressing his wish to encourage them on that ground. With regard to the military grounds, the War Office stood simply upon the Reports of Sir Hope Grant and General Ellice. If the Volunteer officers made an application for an Easter Review to the Government, he should be prepared to give to it his cordial concurrence; and he thought he could promise that the military authorities would do all they could to make such arrangements as were calculated to produce the effects mentioned in General Ellice's letter. He repeated he should give his cordial support to every measure tending to make the force a popular and useful one, and he was confident that His Royal Highness the Commander-in-Chief and those immediately under him, would most willingly co-operate with him in that object. The Report of the Royal Commissioners was against attendance at Easter Monday Reviews counting towards efficiency.

Lord ELCHO asked whether the officers of the force might come to the conclusion that the Reviews, as they had been conducted since the Report of Sir Hope Grant, were viewed with favour by the right hon. Gentleman?

Mr. CARDWELL had already stated that he would stand by the Report of General Ellice.

Mr. CHARLEY gave notice that he would repeat his Question to the right hon. Gentleman to-morrow.

Mr. CARDWELL said, the initiative rested with the commanding officers of the Volunteer force, and if they should hold a meeting and address a letter conveying the result to him, he would give it every consideration.

REGISTER FOR PARLIAMENTARY AND MUNICIPAL ELECTORS BILL.

(*Mr. Attorney General and Mr. Hibbert.*)

[BILL 66.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. PELL moved that the Bill be referred to a Select Committee, on the ground that the Schedules contained certain serious errors, both as regarded dates and references to Acts of Parliament.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Pell,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

The ATTORNEY GENERAL hoped that the House would not adopt the proposition, as it was necessary—if the Bill were to be put in force this year—that it should pass as speedily as possible. The hon. Gentleman (Mr. Pell) could only discover three alleged errors as to dates, but those could be easily rectified in a Committee of the Whole House.

Mr. HUNT said, it was unreasonable to expect the House to proceed with the Bill, when important changes had been introduced into it, only with two days' notice. Little delay would ensue from referring the Bill to a Select Committee; but if that course were not adopted, at any rate time should be given to examine the scheme as now proposed.

Mr. COLLINS suggested that the Bill should be passed through Committee *pro formâ*, in order that it might be reprinted with the Amendments of the Attorney General, which would make it practically a new measure.

Mr. HIBBERT said, the Government would be satisfied with simply going into Committee, and having taken that stage Progress would at once be reported and further consideration of the Bill postponed until to-morrow.

Mr. WHARTON drew attention to the circumstance that the Bill would injuriously affect the Revising Barristers, MR. ASSHETON CROSS was astonished at the immense mass of Amendments proposed by Government, and thought the best plan would be to go into Committee *pro formâ.*

Motion made, and Question put, "That the Debate be now adjourned."—(*Colonel Barttelot.*)

The House *divided*:—Ayes 45; Noes 64: Majority 19.

Original Question again proposed.

MR. C. LEWIS supported the Amendment for referring the Bill to a Select Committee.

THE ATTORNEY GENERAL assented to the Motion for going into Committee *pro formâ* on the hon. Member for Leicester (Mr. Pell) withdrawing his Motion for a Select Committee.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee, and *reported;* to be *printed,* as amended [Bill 105]; *re-committed* for *Monday* next.

AUSTRALASIAN COLONIES (CUSTOMS DUTIES) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law with respect to Customs Duties in the Australasian Colonies.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN and Mr. Secretary BRUCE.

Bill *presented,* and read the first time. [Bill 106.]

CONVEYANCING (SCOTLAND) BILL.

On Motion of Mr. Secretary BRUCE, Bill to amend the Law relating to Land Rights and Conveyancing, and to facilitate the Transfer of Land in Scotland, *ordered* to be brought in by Mr. Secretary BRUCE, The LORD ADVOCATE, and Mr. WINTERBOTHAM.

Bill *presented,* and read the first time. [Bill 108.]

METROPOLITAN COMMONS SUPPLEMENTAL BILL.

On Motion of Mr. WINTERBOTHAM, Bill to confirm a scheme under "The Metropolitan Commons Act, 1866," relating to Tooting Beck Common, *ordered* to be brought in by Mr. WINTERBOTHAM and Mr. Secretary BRUCE.

Bill *presented,* and read the first time. [Bill 107.]

House adjourned at
Two o'clock.

HOUSE OF LORDS,

Friday, 28*th March,* 1873.

MINUTES.]—PUBLIC BILLS—*First Reading*—Consolidated Fund (£9,317,346 19*s.* 9*d.*) *.

Committee—Custody of Infants* (38-51).

Third Reading—Poor Allotments Management* (43); Bastardy Laws Amendment* (50), and *passed.*

INVESTMENT OF CAPITAL IN LAND.

MOTION FOR A SELECT COMMITTEE.

THE MARQUESS OF SALISBURY rose to move that a Select Committee be appointed to inquire into the facilities afforded by the existing law for the investment of capital in the improvement of land, and to report whether any alteration of the law is requisite in order further to encourage such investment. The noble Marquess was proceeding to give reasons for his Motion, when——

EARL GRANVILLE begged the noble Marquess's pardon for interrupting him; but he begged to suggest that a longer Notice should have been given of so important a Motion. He had not heard the noble Marquess give public Notice of his intention to move for this Committee, and he believed that the Notice which appeared on the Table to-day was only handed to the Clerk at the Table last evening. He did not suppose there would be any objection to such an Inquiry as that proposed by the noble Marquess; but he thought it would be as well if the Motion were not moved until Monday, in order that noble Lords on both sides of the House might have an opportunity of expressing their opinion on it if they should think fit to do so.

THE MARQUESS OF SALISBURY said, that he did not wish to be guilty of any discourtesy to their Lordships, but he thought to bring forward the Motion in fulfilment of a pledge he gave the House last year. In putting his Motion on the Paper only last evening, he did not think he was guilty of any discourtesy, because as his Notice really dated from last year, when he gave the pledge to which he had just referred, he thought it was an unusually long one. However, after the observations of the noble Earl, he would, of course, postpone the matter until Monday.

Motion postponed accordingly.

House adjourned at a quarter past Five
o'clock, 'till To-morrow,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 28th March, 1873.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES.

PUBLIC BILLS—*First Reading*—University Tests (Dublin) (No. 2) * [109].

Second Reading—Marine Mutiny *.

Select Committee—Metropolitan Tramways Provisional Orders * *nominated.*

Committee — Married Women's Property Act (1870) Amendment * [7]—R.P.

Committee — *Report* — Income Tax Assessment * [98].

Considered as amended—Mutiny *; Turks and Caicos Islands * [87]; Public Worship Facilities * [100].

Third Reading—(£9,317,346 19*s.* 9*d.*) Consolidated Fund *; Endowed Schools Address * [94], and *passed.*

Withdrawn—University Tests (Dublin) [12].

DIPLOMATIC AND CONSULAR COMMITTEE—PENSIONS TO CONSULS.

QUESTION.

MR. BAILLIE COCHRANE asked the Under Secretary of State for Foreign Affairs, Whether it is the intention of the Foreign Office to carry out the recommendation of the Diplomatic and Consular Committee, by allowing an increased rate of pension to those Consuls who have served in unhealthy climates?

VISCOUNT ENFIELD: Sir, Lord Granville is causing inquiries to be made into our Consular establishments in certain countries, and, pending the result of such investigations, I apprehend that no decision will be taken upon those recommendations of the late Committee upon the Diplomatic and Consular Service, which might possibly entail further public expenditure, and must require the assent of the Treasury before they could be carried out.

COURT OF ROME — RELIGIOUS CORPORATIONS.—QUESTION.

MR. MUNTZ asked the Under Secretary of State for Foreign Affairs, If there be any objection to lay upon the Table Copy of the Instructions sent to the British Minister at the Court of Rome with regard to the Religious Corporations, and to state on what grounds Great Britain claims to interfere?

VISCOUNT ENFIELD: Sir, the instructions to Sir Augustus Paget and to Mr. Clarke Jervoise from the Foreign Office, with the view of obtaining immunity from confiscation for such foreign religious establishments as this country is interested in, were laid before Parliament in February, 1871, being included in the "Correspondence on the Affairs of Rome for 1870-71." In this Correspondence the grounds were shown on which the various establishments base their claims for protection, and on which, in consequence, the instructions were given to Her Majesty's Representative. I may remind the hon. Member and the House that when the material interests of British subjects require friendly representations being made in their behalf to foreign Governments, such representations, when supported, should the occasion require, by the authority and opinion of the Law Officers of the Crown, are made by Her Majesty's Government irrespective of class and of creed. Such a course has been followed in the present instance, and, with the concurrence of their Legal Advisers, Her Majesty's Government have addressed instructions to Sir Augustus Paget in the interests of those parties who were under the impression that they were threatened with expropriation of those establishments in which they are interested by the application to them of the provisions of the Bill now under consideration by the Italian Chamber; the question is still pending, and the Bill has not yet been passed. I cannot undertake to lay upon the Table any additional Papers upon this subject; but if the hon. Gentleman will refer to a letter signed by Mr. Hammond from the Foreign Office on February 22 in this year, and which appeared in *The Pall Mall Gazette* of February 27, I think he will find in the contents of that letter an exhaustive *résumé* of the present state of this question.

PRISON MINISTERS COMMITTEE, 1870.

QUESTIONS.

SIR JOHN TRELAWNY asked the First Lord of the Treasury, If his attention has been called to the Evidence delivered before the Prison Ministers Committee in 1870, and the Report made by it to the House; whether he is aware that considerable numbers of persons detained at the will of Her Majesty have no regular or certain means of obtaining religious instruction in accordance with the tenets of their several communities, in consequence of the non-appointment of salaried ministers of such communities by certain county and borough prison authorities; and, whether Government will in this Session bring in a Bill to cure such defect, or name an early day at the disposal of Government for the consideration of the Bill thereon, which came down last year from the House of Peers, and has lately been read a first time in this House?

MR. CLARE READ: Before the right hon. Gentleman rises to answer, I should also like to ask him, Whether, after the Resolution agreed to by the House of Commons last Session, with reference to the charges imposed upon the ratepayers for national objects, it is the intention of the Government to support any measure incurring the expenditure of rates for the administration of justice?

MR. GLADSTONE: Sir, undoubtedly the attention of the Government has been called to the Report and evidence referred to, and the Government last year introduced a Bill dealing with the matter, but press of other business prevented its being proceeded with. I am aware that a considerable number of persons who are detained in prison are without any regular means of religious instruction supplied at the public expense. I hope that the grievance complained of may in time be overcome by the spontaneous action of the local authorities. As far as the Government are concerned, we are not, with the limited time at our disposal, in a position at present to deal with the subjects. Our sympathies are with the hon. Baronet; but we cannot give him up a Government evening for his purpose. I trust the hon. Member for South Norfolk (Mr. Clare Read) will accept this as an answer also to his Question.

THE SUEZ CANAL—SHIPPING TOLLS.

QUESTION.

MR. DENISON asked the Under Secretary of State for Foreign Affairs, Whether any steps are being taken at Constantinople or elsewhere to arrest the introduction of increased and prohibitory shipping tolls on the Suez Canal?

VISCOUNT ENFIELD: Her Majesty's Government, Sir, have given their most careful attention to this matter, and have been in communication for some time past with the Governments of other maritime countries respecting it. The whole question of the Dues on the Canal is now under the consideration of the Porte, and Her Majesty's Ambassador at Constantinople has been instructed to urge that the interests of the shipowners should be duly regarded.

ARMY—THE VOLUNTEERS. THE EASTER MONDAY REVIEW.

QUESTIONS.

MR. CHARLEY asked the Secretary of State for War, Whether he has any objection to give orders that a Review of Guardsmen and Volunteers be held near London on Easter Monday?

MR. CARDWELL: As I fully explained, Sir, last night, the initiation of such a review rests, not with me, but with the commanding officers, as the expense is borne by the Volunteers, and not by the public. There is a sum voted in the Estimates for a brigade drill of every Volunteer Corps once a year, who may be brigaded with regular troops. This is in the discretion of the General Officer of the district, who arranges the time with the commanding officers of Volunteers, and I understand that such arrangements are now being made by the General of the Home District, Prince Edward of Saxe-Weimar.

MR. CHARLEY asked, whether it was necessary that all the commanding officers should apply?

MR. CARDWELL said, the regular course was that the committee of commanding officers should take the matter into consideration and should communicate with the General Officer, which in this case had not been done.

MERCANTILE MARINE—THE ROYAL COMMISSION.—QUESTION.

MR. PLIMSOLL asked the President of the Board of Trade, Whether he is prepared to inform the House as to the names of the gentlemen the Government will recommend to Her Majesty as Royal Commissioners to inquire into the condition of the Mercantile Marine and report thereon, and also as to the terms of the reference?

MR. CHICHESTER FORTESCUE: I am able, Sir, in answer to the Question of the hon. Gentleman to state to the House the form of the Reference which is to be made to the Royal Commission about to be constituted, and the names of its Members. The form of Reference will be this: That a Commission should forthwith issue to make inquiry with regard to the alleged unseaworthiness of British ships arising from overloading, deck-loading, defective construction, condition, equipment, form, or machinery, age, or improper stowage; and also to inquire into the present system of Marine Insurance, and the state of the law on the liability of shipowners for injury to those whom they employ, and the effects of under-manning ships; and to suggest the best remedy for the removal of such evils as may have arisen from the matters aforesaid. With respect to the names which had been selected, and had received the approval of Her Majesty, they are as follows:—The Duke of Somerset (Chairman), His Royal Highness the Duke of Edinburgh, the right hon. T. Milner Gibson, Admiral Sir James Hope, the hon. Henry George Liddell, M.P., Mr. Thomas Brassey, M.P., Mr. Henry Cadogan Rothery, Registrar of the High Court of Admiralty; Mr. Arthur Cohen, Barrister-at-law; Mr. Peter Denny, of an eminent shipbuilding firm at Dumbarton; Mr. George Duncan, member of the committee of *Lloyd's Register;* Captain Edward Dover Edgell, head of the Survey Staff of Lloyd's Salvage Association; and Mr. Charles Watkin Merrifield, Principal of the Royal School of Naval Architecture and Engineering. Instructions are contained in the Warrant, to the effect that the Commission shall first and separately report to Her Majesty upon the question of overloading; and shall secondly and separately report upon the question of unseaworthiness and defective construction.

MERCHANT SHIPPING ACT—CASE OF THE "MAGGIE."—QUESTION.

Mr. R. W. DUFF asked the President of the Board of Trade, Whether, in the case of the four seamen of the brig "Maggie" recently sentenced to imprisonment with hard labour in Edinburgh Gaol, it having been admitted in evidence that the Captain intended to proceed on a long voyage short-handed, that did not constitute a sufficient reason for the crew refusing to sail; and, if so, will the right hon. Gentleman communicate with the Home Secretary with a view to the immediate release of the prisoners?

Mr. CHICHESTER FORTESCUE, in reply, said, he could not give his hon. Friend any information in this case at the present moment, because it did not come directly before the Board of Trade. It was a case of criminal procedure, which had gone to the Home Office. He could not give an opinion on the legal question, but he was in communication with the Home Office on the subject.

UNIVERSITY TESTS (DUBLIN) BILL.

[Bill 12.]

(*Mr. Fawcett, Dr. Lyon Playfair, Mr. Plunket.*)

WITHDRAWAL OF BILL. RULES OF THE HOUSE.

Mr. CALLAN rose to put a Question on a point of Order. The second reading of the University Tests (Dublin) Bill had been fixed for the 2nd of April, and he wished to know whether the Bill could be permitted to proceed, having been materially altered by the hon. Member for Brighton (Mr. Fawcett) since it was read a first time? The hon. Member stated in introducing the measure on the 7th of February, that it had been accepted by a large majority, and was, in fact the Bill of the House; and, on the 20th of March, in reply to the hon. Member for Birmingham (Mr. Dixon), he said that the delay in printing the Bill—

> "had been caused by his anxiety to consider, and if possible to meet, the objections urged against his measure by the Prime Minister and others in the recent debate."

It now turned out that the hon. Member for Brighton had got printed quite a different Bill from that which he had introduced, the constitution and powers of the Governing Body of Trinity College and the University of Dublin being entirely different in the Bills of 1872 and 1873. The reason why he asked the Question was this:—The Bill had been put down for second reading on Wednesday next, and as it was a measure on which much interest was felt in Ireland, Irish Members would be saved the necessity of coming over, and other Members the trouble of coming down to the House, if it were now ruled that the second reading could not proceed on that day. He believed the usual course was this:—When a Bill was introduced and ordered to be read a first time, it was not the practice to have it printed, especially in a perfect shape. For the convenience of Members, the practice was that the clerks in the Public Bill Office took the title of the Bill from its introducer, who might then bring in a dummy Bill. But the theory was that the Bill was introduced in a perfect shape. Now, the measure before the House he conceived to be an abuse of all procedure and all precedent, because the introducer of the Bill stated that it was the Bill which was read a second time last year, and led the House to believe that it was in a perfect shape, the fact being that the clauses were not then settled by the draftsman, or even in the mind of the hon. Member himself. The Bill, which should have been printed on the 7th of February, was not delivered to Irish Members until late on Tuesday, and it was only on Wednesday that his attention was directed by the Press to the fact that material alterations had been made in it. A case in point, reported in *Burke's Precedents*, had occurred on the 18th of February, 1850, when Mr. Stuart Wortley, in reply to a Question asked by Sir R. H. Inglis, said that his Bill on the subject of marriage with a deceased wife's sister had been delayed because he desired to frame a clause in accordance with the wishes of the hon. and learned Member for Plymouth. Sir R. H. Inglis contended that—

> "Though any Member having obtained leave of the House to prepare and bring in a Bill on any subject, might take days, weeks, or months for the purpose, he could not, when once he had brought up such a Bill, and when the House had received and read it, make any alteration whatever in it. It was no longer his property, any more than that of any other individual Member, and could not be altered by any one. The House alone could then deal with it."—[3 *Hansard*, cviii. 969.]

The Speaker of the day (Mr. C. S. Lefevre) ruled

> "That it was not competent for an hon. Member to make any other than a clerical alteration in a Bill which had once been introduced and read a first time."—[*Ibid.*]

He had only to refer to the fifth, sixth, and seventh clauses in proof that the Bill of the hon. Member for Brighton was not the measure which last year received a second reading; and, under the circumstances, he begged to ask Mr. Speaker, Whether the hon. Member for Brighton was in Order in proposing to proceed with the Bill which stood for reading a second time on Wednesday next.

MR. FAWCETT said, it might not be inappropriate, before an opinion was expressed from the Chair, that he should state the facts of the case, and at once he was prepared to admit that the hon. Member had stated the facts correctly. He introduced the Bill on the first day of the Session, but did not get it printed because there was a probability then, another Bill on the same subject would pass the House, and, of course, if it had done so there would have been no use in troubling the House with his Bill. As the discussion on the University Bill of the Government proceeded, the Bill of which he was in charge was frequently referred to, many objections were pointed out to it by the Prime Minister and other eminent Members of the House, and the sole reason for altering it was that its promoters thought they would be paying more respect to the Prime Minister and the other distinguished Members to whom he had referred if they endeavoured as far as possible to meet their objections. As far as he was concerned, and he believed he was expressing the opinion of his two hon. Friends whose names were on the back of the Bill, it never once entered their minds that they were infringing, or disregarding even, a technical Rule of the House in adopting the course they had done. He now found that they had done so, and in his own name and in that of his hon. Friends he begged to say that they deeply regretted that they should have unintentionally disregarded a Rule of the House. He had no doubt that the House would accept his assurance that the error was entirely unintentional. But, having made this admission, the next question was, what had they better do? It seemed to him that the best thing to be done was this—As far as he understood the question, the leave which he obtained to introduce a Bill dealing with the Dublin University was still operative. He, therefore, with the permission of the Speaker, would ask to be allowed again to present another Bill to the House, and would then move that the Order of the Day for the Second Reading of the Bill put down for Wednesday next be read and discharged. If that Order should be discharged, he should then fix the second reading of the Bill, which he now begged to be allowed to bring in, for the same day. He greatly regretted that the course which had been adopted by his hon. Friend (Mr. Callan), if this were done, would not be so fruitful of advantage, as the hon. Member had thought that he had no alternative. He should deeply regret if, through an oversight on his part, a question which needed settlement should in any way suffer. Still, he had no alternative in the matter. He would only add this much more. ["Order."] He was perfectly well aware that there was no chance whatever of passing the Bill, even if this point of Order had not been raised, unless he and those who acted with him should obtain considerable indulgence from the House and the Government. He did not think, under the circumstances, that indulgence they would be less likely to receive now. In conclusion, he would simply say that he hoped the course which he had suggested would meet with the approval of the right hon. Gentleman in the Chair and also of the House.

Mr. SPEAKER: I am bound to say that the hon. Member for Brighton (Mr. Fawcett) has exercised a sound discretion in taking the course which he proposes to adopt. There is no principle more clearly laid down in this House than this—when a Member has introduced a Bill to the House it ceases to be in that Member's hands, and passes into the possession of the House. No essential alteration of that Bill, at any stage, may then be made without the distinct Order of the House. I may remind the House that that principle applies with special force when the House proposes to go into Committee *pro formâ* on a Bill in order to meet objections to that Bill, raised on the second reading. Upon those occasions it is clearly established that no alteration can be introduced in a Bill inconsistent with the general character of the Bill. The House has laid down a clear course for Members to take if they desire to make any essential alteration in a Bill of which they have charge at any stage. That course is to ask the leave of the House to withdraw the Bill, and to present another instead thereof. That is the proper course to take, and that is the course which, as I understand, the hon. Member proposes to take. If that be so, the first Question to be put to the House will be that the Order of the Day for the second reading of the University Tests (Dublin) Bill be read and discharged, and that the Bill be withdrawn. Should the House think proper to agree to that Motion, it will rest with the hon. Member for Brighton to ask leave to present another Bill in lieu thereof; and when the new Bill has been presented and read a first time, to name for the second reading Wednesday next, or any other day he may think fit. The Question, therefore, which, in pursuance of the hon. Member's desire, I have to put to the House is—"That the Order of the Day for the second reading of the University Tests (Ireland) Bill upon Wednesday next be read and discharged."

Mr. MITCHELL HENRY: I wish to put it to you, Sir, whether the second reading will take precedence of the other Orders on Wednesday?

Mr. SPEAKER: If the House should allow the hon. Member for Brighton to present another Bill, he can fix the second reading for the day he thinks proper. Of course, it will take its place after the other Orders of the Day already appointed for that day.

Mr. MITCHELL HENRY: Is it, Mr. Speaker, competent to debate the Question that the Order of the Day be discharged?

Mr. SPEAKER: In accordance with the Rules of the House, I have put the Question—"That the Order of the Day for the second reading of the Bill on Wednesday next be read and discharged." That Question may be debated; but, according to the ordinary rules of debate, the discussion must be germane to the question.

Question put, and *agreed to.*

Order read and *discharged.*

Mr. SPEAKER: I have now to put the Question—"That the Bill be withdrawn." The Ayes have it.

Bill *withdrawn.*

Mr. FAWCETT: Mr. Speaker, I beg to present the Bill to the House, and to move that it be read the first time.

Motion made, and Question proposed, "That leave be given to present another Bill instead thereof."—(*Mr. Fawcett.*)

Mr. SPEAKER: The Question is—"That leave be given to present another Bill instead thereof."

MR. GLADSTONE: I beg, Sir, to point out—it appears to me that it is quite unnecessary for the hon. Member for Brighton to give Notice of a new Bill.

SIR JOHN ESMONDE: The hon. Member obtained leave to bring in one Bill on a statement which he made to the House—can he, without Notice, introduce another Bill?

MR. COLLINS: I would ask, Sir, as a point of Order, whether the hon. Member for Brighton can interfere with the programme for this evening? Orders of the Day on Friday have precedence over Notices, and he cannot take precedence of the Orders and the four Notices of Motion now on the Paper.

MR. GOLDNEY: The Bill has been withdrawn; but I apprehend it is not competent for the hon. Member for Brighton to introduce another Bill without giving Notice.

MR. DODSON: I wish to say a few words on the point of Order. The position, as I understand it, is this—the hon. Member for Brighton has obtained leave to withdraw his Bill, and the Bill is withdrawn. But the Order of Leave, as stated by you, Sir, to introduce a Bill on this subject still holds good, and the hon. Member upon that Order asks leave to present another Bill. The Question I have to put to you, Sir, is whether it is not in accordance with precedent, under the circumstances, that leave should be given to enable the hon. Member to present the Bill without further Notice? If leave be given to present that Bill, the hon. Member at the close of the sitting may bring up that new Bill in the same manner as if it were a Bill brought in under an Order of Leave given.

MR. SPEAKER: The House is now engaged in dealing with a point of Order, and it is according to the usual practice that the point of Order should be determined, and effect given to that determination. No Notice on the part of the hon. Member for Brighton is necessary in order to raise the Question whether he should or should not be permitted to present another Bill. The right hon. Gentleman the Member for East Sussex (Mr. Dodson) has correctly stated the practice of the House. The Order of Leave to introduce a Bill is still operative, and the only question now to be determined is whether the hon. Member for Brighton shall be allowed to present another Bill instead of that withdrawn. Of course, whether the hon. Member for Brighton shall be allowed to do so or not must be left to the House; but no Notice in respect of that Motion is necessary.

MR. HERON: I wish to know, Sir, whether leave having been given to the hon. Member for Brighton to introduce a Bill on the 7th of February, he can now on the same leave introduce a Bill different in principle.

MR. BOUVERIE: I believe, Sir, in such a case as that now before the House, where a Bill from some informality is withdrawn and a new Bill presented, the invariable practice has been to allow the Bill to be brought in by the Member at once; and no Notice is requisite. Leave having been given to introduce a Bill, it may be presented at any time. Being introduced on that Order it will then be read a first time.

MR. SYNAN: In that case I should like to know how we are to debate the first reading. We may have to take a division on the first reading.

MR. SPEAKER: The Question is that leave be given to present another Bill instead thereof.

MR. M'CARTHY DOWNING: We have been taken by surprise. We do not know what the new Bill of the hon. Member for Brighton will be; and we should have time to consider the course to be pursued. I beg to move the adjournment of this debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Downing.*)

MR. NEWDEGATE said that the two hon. Gentlemen who had last spoken could be in no want of information as to the provisions of the Bill which the hon. Member for Brighton wished to present. Every one in the House was perfectly conversant with its proposals.

THE O'CONOR DON wished to ask the Speaker, Whether the withdrawal of a Bill differed from the second reading having been negatived. If the original leave covered a new Bill, why should it not cover a Bill which had been defeated on the second reading?

MR. SPEAKER: Any hon. Member who has obtained the leave of the House to introduce a Bill is at liberty to suspend the introduction of that Bill and to alter it in any way he thinks proper, provided it is not so altered as to be inconsistent with his original leave. As long as the Bill is introduced in consistency with the Order of Leave, he is quite in order in laying it on the Table of the House; but when once laid on the Table of the House, it is not regular that it should be altered in essential particulars. The hon. Member for Brighton having, as acknowledged by himself, altered his Bill in essential particulars, asks leave to present another Bill. There are several instances of the same kind on record, and in all those instances hon. Members have presented another Bill, and without Notice. The hon. Member for Brighton is therefore in order in now proposing to present to this House another Bill, without Notice.

Mr. GLADSTONE: It appears to me that there is an amount of difficulty in the position in which we are placed. The ruling of the Speaker has been perfectly clear, that although it was necessary for the hon. Member for Brighton to ask permission to present his Bill, he could do so without Notice. Then the question arises as to the position of Members who, like the hon. Member for the county of Limerick (Mr. Synan), desire to oppose the Bill on the first reading. [Several hon. Members: He cannot now.] They cannot oppose a Bill on its first reading? I recollect that great battles have been fought on the first readings of Bills. I remember a declaration by Lord Russell in 1842 that he would oppose the Income Tax Bill on the first, second, and third readings, and he was as good as his word. The Motion for the first reading usually follows the presentation of the Bill; but in this case the presentation recurs without any Notice. It will be rather hard on my hon. Friend, supposing he wishes to oppose the first reading, that he should have no course open to him except to watch the entire proceedings of the House before and after the discussion of Orders of the Day, in order to make sure that the first reading is not taken. In lieu of adjourning the debate, for which there is no necessity, as the question at issue is perfectly clear, the convenient course would be for the hon. Member for Brighton to give Notice that he will move the first reading on Monday. It is not usual that such a proceeding as this should occur at all, for usually every Member has Notice of the introduction of a Bill, and then takes his own course with reference to the first reading. I doubt whether it is consistent with the privileges of Members to have to watch the proceedings of the House in the way I have described; and, without raising the abstract question of procedure, the whole difficulty might be met if the hon. Member for Brighton gives Notice of the first reading for Monday, and he would then be in plenty of time to fix the second reading on the day he desires.

Colonel WILSON-PATTEN: I differ from the right hon. Gentleman. The hon. Member for Brighton having admitted that his Bill is not in accordance with his statement of it on the first reading, the Speaker has ruled that it ought to be withdrawn. But there stands on our Journals the Order that he has leave to introduce a Bill for the better government of the University of Dublin. The Speaker has told us that, under these circumstances, the custom, for which there are several precedents, is to introduce another Bill. Now, if the hon. Member for Limerick (Mr. Synan) intended to oppose the Bill when first introduced, there would be some reason for deferring the first reading; but he had no such intention, and it would be rather hard on the hon. Member for Brighton to take advantage of the new state of things and oppose the presentation of his Bill. It is for the House to judge whether the hon. Member should be put in the same position he was in before with his fresh Bill.

Mr. BOUVERIE: The House, or a portion of it, does not seem aware of the Standing Order of 1852 on the question. That Order provides that, a Bill having been introduced in pursuance of an Order of the House, "the Question that it be now read a first time and printed shall be decided without Amendment or debate."

Mr. DODSON suggested that if the Motion for the adjournment of the debate were withdrawn, a decision might very shortly be arrived at, by taking the sense of the House on the Question whether the hon. Member for Brighton should be allowed to present his new Bill.

Mr. MORRISON: The course which my hon. Friend (Mr. Fawcett) proposes to take is one commonly adopted with Government Bills. As to the view of the right hon. Gentleman at the head of the Government, that the first reading should be postponed till Monday—is there any instance of a Government of either political party having given Notice in such a case? If the first reading is deferred till Monday, the convenience of the printers in distributing the Bill will be interfered with. We are discussing a mere question of form, for my hon. Friend is about to present the very Bill which has been in our hands the last 10 days.

MR. CARDWELL: Before we consider the practical consequences, we should have regard to adherence to the Rules, which are distinctly laid down in the volume to which we always refer in such cases. It says—

> "If a Bill has been received in either House the Question is put 'that this Bill be now read a first time,' which is rarely objected to, either in the Lords or Commons, and in the Commons can only be opposed by a Division. When the Question of the first reading is negatived the House merely determines it shall not be now read a first time, and the Question may therefore be repeated on a future day, as in the case of the County Elections Bill in 1832 which was twice negatived."

The Question now is that the hon. Member for Brighton be permitted to present another Bill, and that Motion any Member may resist.

Motion, "That the Debate be now adjourned," put, and *negatived*.

MR. SYNAN said, it had been denied by some Members that a Bill could be opposed on the first reading, and that the House could divide on the first reading. He would remind those hon. Members, however, that in the present Session a measure proposed by the hon. Member for North Warwickshire (Mr. Newdegate) was opposed on the first reading, when a division was taken.

Original Question put, and *agreed to*.

UNIVERSITY TESTS (DUBLIN) (No. 2) BILL,—"to abolish Tests and alter the Constitution of the Governing Body in Trinity College and the University of Dublin," *presented* accordingly; read the first time; to be read a second time upon *Wednesday* next, and to be *printed*. [Bill 109.]

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ELECTION OF REPRESENTATIVE PEERS (SCOTLAND AND IRELAND).

OBSERVATIONS.

MR. STAPLETON rose to call attention to the mode of electing Representative Peers of Scotland and Ireland. The hon. Member said, that on a previous occasion he had called attention to the defects of the present system of electing Representative Peers both in Scotland and Ireland. It was generally admitted that the existing system was unsatisfactory, and that its revision and reform were urgently called for. In 1869 he obtained leave to bring in a Bill on the subject; but by the advice of the Prime Minister, who, agreeing with him in the need of a reform, thought that an opportunity should be afforded to the House of Lords of taking the initiative in the matter, he did not attempt to carry it beyond the first reading. Subsequently, in the same year, a Bill was introduced in the House of Lords by Earl Grey, which was an improvement, in one respect, on the measure he had himself presented to this House. His proposal was to restrict the votes to be given by each Peer to a fewer number than the number of Peers to be returned. He had followed the precedent furnished by the House of Lords itself, which had introduced the three-cornered constituencies into the Reform Bill, not venturing to go further. Earl Grey's Bill was based on the principle of the Cumulative Vote. In that way it was hoped that the representation of a minority might be secured. At present all or nearly all the Representative Peers were of one complexion, and did not fairly or adequately represent the various opinions of the constituencies by whom they were supposed to be elected. The noble Earl (Earl Grey) by his Bill interfered with the provision contained in the Scotch Act of Union, under which the Representative Peers were elected for each Parliament. This was probably the reason why the Bill met with considerable obstruction, though not actual opposition in the House of Lords. The

Duke of Buccleuch, who always took a great share in the return of Representative Peers for Scotland, moved its reference to a Select Committee, and upon that Motion a debate arose in which the Duke of Argyll, Earl Granville, and several independent Peers spoke in favour of the Bill. The Marquess of Salisbury also expressed himself to the following effect:—

> "If the present Motion were for rejecting the Bill I certainly should not vote for it. In the present state of my convictions I am not disposed to vote against the principle of the Bill."—[3 *Hansard*, cxcv. 1688.]

Lord Cairns, himself the author of the Minority Clause in the Reform Bill was the chief speaker against the Bill on that occasion. But he thought it might be fairly said that no one objected to its principle. For even Lord Cairns was not satisfied with the existing state of things. The noble Lord was in favour of some system by which all the Scotch and Irish Peers might eventually take their seats in the House of Lords; but he, for one, was opposed to such a step, which would be contrary to the agreement made with those countries at the time of their respective Unions. Lord Cairns' argument was open to an easy answer. The noble Lord had maintained that because Scotland had so increased in relative wealth and population since the Union that she had been found entitled to an increased number of Representatives in the House of Commons; therefore she was entitled to an increased representation in the House of Lords through Representative Peers. But this argument entirely lost sight of the fact that there had been no Peers of England created since the Union. The only Peers created since the Union with Scotland were Peers of Great Britain and Peers of the United Kingdom, the former before and the latter since the Union with Ireland. A Scotch commoner had always as good a chance as an English one of being made a Peer of Great Britain or of the United Kingdom. It was true that for 80 years Scotch Peers, not being Representative Peers, were excluded from the House of Lords, although they had been created Peers of Great Britain, or had even inherited English Peerages. But that disability had long been removed; and no one could deny that the posssession of a Scotch or Irish Peerage was a vantage ground which gave a man a better chance of getting into the House of Lords than that possessed by a commoner of equal means and position. A Committee of the House of Lords was appointed to consider the Bill, and the proceedings were very dark and very curious. They took evidence, but it was never distributed, except among themselves, and he could never procure a copy of it. A still more extraordinary thing was that the Report they presented had little or nothing to do with the subject-matter of the Bill. The division in the Upper House on the Irish Church Bill gave rise to further discussion on this subject. On that occasion four Irish Representative Peers voted with the Government; but this circumstance only showed that the time had come for the passage of that measure, and not that a great change had occurred in the feelings of the Representative Peers. When the important question of the Abolition of Purchase arose, 29 Scotch and Irish Representative Peers voted against it, and only three for it. This was followed by the publication in *The Times* of a very strong article insisting on the necessity of changing the mode of electing Representative Peers. There was this difference between the Scotch and Irish Representative Peers—that the former were elected at the commencement of every new Parliament, while the election of the latter was for life, and consequently an election took place on the death of every Representative Peer. There would be no difficulty in introducing the Cumulative Vote at the Scotch elections. An arrangement would be necessary in the case of the Irish elections, and might be made in the way he would indicate. The four seats in the House of Lords formerly occupied by the Irish Bishops and Archbishops were now vacant, and he thought, in justice to Ireland, those seats should be filled up. At least, the number might be fixed at not less than 28, and not more than 32. By that arrangement the elections could be by batches of five, and then the Cumulative Vote would have full play. The change he recommended was due to the minority, who at present were excluded from any share of representation in the House of Lords; and it was also due to the Hereditary Peers of England, for it often happened that, while a majority of those Peers voted upon the popular side, the vote was changed by the dead-weight of the Representative Peers.

MR. VANCE said, he did not remember any proposal being made by the House of Lords to alter the constitution of the House of Commons. The proposal of the hon. Gentleman the Member for Berwick was to alter one of the fundamental articles of the Act of Union. It was true that one of the most solemn Articles in the Act of Union had been violated by the measure which swept away the Irish Church. But the more the clauses of the Act of Union were altered, the stronger was the argument for repealing that Act altogether. The hon. Member had spoken of the Irish Peers being generally of one complexion in their political view. No doubt this was so, and the reason was that the constituency were all of one complexion. Still, of late years there had existed very little difficulty in distinguished Conservative Irish Peers finding their way into the House of Lords by being created English Peers. His own impression was that by this means an inequality arising out of the elective representative system was corrected by the large number of Irish Liberal Peers who had been created English Peers by successive Liberal Governments. Very few instances of such creations had taken place under Conservative Governments, and therefore he was of opinion that the House should be very careful in dealing with any proposal to trench upon the privileges and alter the constitution of the House of Lords.

MR. GLADSTONE said, that when this subject was before brought under notice by his hon. Friend, he had stated it was in the House of Lords that the question must originate if any practical result were hoped for. He was sorry that august Assembly had shown no disposition to deal with the present method of electing Representative Peers. It might appear that upon such a question anyone upon the Liberal side of the House must speak from party interest, because the existing mode of election operated very disadvantageously to the Liberal party. He could not help saying, however, that, while he agreed with the right hon. Gentleman opposite (Mr. Disraeli) in strongly opposing the principle of minority representation in the House of Commons, one essential reason for this opposition was that the variety existing among the constituencies provided effectually for the representation of every variety of sentiment in the House, so that the House of Commons, on the whole, corresponded with the political opinions of the people from time to time. But this argument against the representation of minorities in the House of Commons entirely failed against the representation of the Scotch and Irish Peers, who were not represented in conformity with the various shades of opinion existing among them. The only argument in favour of the present mode of election was that just used by the hon. Gentleman opposite—"It is the mode provided in the Act of Union;" but, inasmuch as Parliament had altered the Act of Union in other points, it might alter the Act in this point. The evil, however, had been borne for some generations, and they must probably be content to bear it for some time longer. His hon. Friend suggested that the Government should propose in the House of Lords the change which he thought necessary. He could not, however, pledge himself to act upon this suggestion. The Government were in a decided minority in the House of Lords, and could not, therefore, with any advantage, take the initiative upon a question of considerable importance bearing on the constitution of the House of Lords. It was difficult for this, as for all Liberal Governments, to conduct the ordinary business of this country in the House of Lords; and he did not think it would be right on the part of the Government to endeavour to effect a change going beyond the ordinary course of business unless there was reason to suppose, from declarations made by the Members of the Opposition in the House of Lords, that they were inclined to give it a favourable reception. The practical mischief of the system of election was restrained partly by the number of Irish and Scotch Peers who had received peerages of the United Kingdom, and partly, also, in the case of Scotland, by the reduction in the aggregate number of those peerages. He could only say that, although hope did not always afford the prospect of a very substantial repast, they could only feed themselves with the hope that if a proposal something in the nature of minority representation should be introduced into the elections of Scotch and Irish Peers, as it had been introduced with advantage into the Governing Bodies of the Universities, that proposal might commend itself to the general sense and judgment of the House of Commons. It certainly would be more likely so to commend itself if they avoided anything like an attempt at officious pressure; and although he did not believe that his hon. Friend was in the slightest degree open to that charge, he did not think that the Government would be regarded as free from that accusation if they held out any expectation that, under the present circumstances, they contemplated making any proposal in that sense. He wished, too, that the public mind had been more turned to this question than appeared to have been the case. He could only account for the general indifference to the subject on the part of the public by the pressure of other important matters, combined with the sense that it was impossible to deal with them all effectually. He could not help feeling that they were indebted to his hon. Friend for bringing the subject before the House, and he could only express his hope that a view so reasonable as that of his hon. Friend would find favour at some happy juncture, though the time might not be quite close at hand.

Mr. KINNAIRD, while he acknowledged, also regretted the public apathy in this question, but regarded the indifference of Scotchmen to ther belief that in sending so many Liberal Members to that House they had secured sufficient and forcible expression of their opinions. He thought this was a question that ought not to be forced on the other House by this.

JURIES (IRELAND) ACT.

MOTION FOR A SELECT COMMITTEE.

Mr. BRUEN rose to move that a Select Committee be appointed

> "To inquire into the operation of the Act 34 and 35 Vic. c. 65, Juries (Ireland) Act, and whether it is necessary to amend the same in order to secure the due administration of justice."

In doing so he would place before the House instances which had occurred in all parts of Ireland illustrating the effects of the law, and then ask the House to consider whether these effects were not traceable to the present state of the law, and whether an immediate inquiry ought not to be instituted? Previous to the 1st of January last, when the existing law came into operation, matters relating to juries were managed under an Act passed in 1833, and though that Act had in some respects become obsolete, it worked as a rule smoothly enough, except, perhaps, in times of agrarian or political disturbances. The principal changes made by the Act of last year were the taking away from the Sheriffs the discretion which they had hitherto exercised, and the reduction of the property qualification. Formerly the Sheriffs had been able to exclude from the panel all those who were known to be incompetent or disaffected, but no choice was now left them. He observed that Lord O'Hagan had stated in "another place" that the qualification as originally provided in the Bill was considerably reduced in the House of Commons after it had left the House of Lords. As a matter of fact, he found that the Bill reached the House of Commons at the fag end of the Session—on the 7th of July—when the House had been exhausted by the debates on the Ballot, that it was read a second time on the 18th of July between 1 and 2 o'clock in the morning, and that it passed through Committee at about 2 o'clock on the morning of the 21st of July, when some Amendments were introduced without Notice. He did not mean to defend the qualifications in the Act of 1833, though they were good so far as they went; but he could not help protesting at the way in which so important a measure as this had been smuggled through the House. With respect to the nature of the qualification of jurors under the Bill, there were no less than five different qualifications, producing a most extraordinary and whimsical state of things in different parts of Ireland. The qualification for urban voters—the voters in cities, towns, and villages—was in 11 counties the occupation of premises of the value of £12 a-year. In Leitrim their qualification was £15. In all other parts of Ireland it was £20. For rural jurymen the qualification in any part of Ireland, with one exception—that at Leitrim—was £20. In all parts of Ireland under the new law the administration of justice had been most scandalous. It was no reflection upon the Irish character to say that, because the same changes in the law would lead to the same results anywhere else. Could anything but scandal result from the appointment of incompetent persons to discharge the duties of jurors? He would state a few instances of the evil operation of the present jury law in Ireland. A barrister of many years exrience had written a letter to him stating that a juror who had been summoned to try an important criminal case at Nenagh, when he was about to be sworn said he could not read or write; and several others who had been summoned were equally incompetent. At Kilkenny one of the jurors in an important case, which had occupied the Court for a day, said to a barrister—"Could not your Honour get me let off, as I have been brought from a distance of 50 miles, and cannot read or write; nor do I understand a word of what is going on." At Clonmel a number of old men begged to be excused for similar reasons, and some of them had to pawn their coats and other garments in order to maintain themselves whilst they were in attendance as jurors. The Act, therefore, operated very hardly in the case of the poor man. In another place at the opening of a trial one of the jurors said that, on hearing a case the previous day, he thought the first counsel right until he heard his opponent, and then he did not know which was right. He wished to know whether the same thing would occur in the case then before them. The Judge and Mr. Butt informed the juror that he would have to hear both sides, and decide with which the truth lay. Thereupon the juror observed that he and his fellow jurors would decide according to their consciences, but that it was of no use making long speeches. [*A laugh.*] These cases had a ludicrous side, but they grievously affected the administration of justice. We could not afford to have the law brought into contempt in Ireland. At the Tipperary Assizes a man who had been sworn, and who could neither read nor write, was discharged by Chief Justice Whiteside because he had been appointed foreman of the jury. In one case, on a trial for murder, one of the jurymen was quite drunk, and another was a returned convict, who had served his seven years. In another case the Judge said the jury had forgotten the obligation of the oath they had taken, and, seeing that they gave a verdict of acquittal in spite of the evidence, he was obliged to infer that they were friends of the prisoner. It was evident that something should be done to remedy this state of things. He believed that all parties were anxious to obtain such a law as would ensure the attendance of jurymen who understood the nature of an oath, and would do their duty according to their oath, and who were competent by education to follow out the pleadings at trials. He thought the best means of obtaining that object would be by way of an inquiry before a Committee presided over by the noble Marquess the Chief Secretary for Ireland; and he rejoiced to think that such an inquiry need not take up more time than would be necessary to put a stop to the present disgraceful state of things. He thanked the House for having listened to the details he had brought forward, and concluded by moving for the Select Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the operation of the Act 34 and 35 Vic. c. 65, Juries (Ireland) Act, and whether it is necessary to amend the same in order to secure the due administration of justice,"—(*Mr. Bruen,*) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. HERON, while satisfied that the object of the hon. Member for Carlow (Mr. Bruen) in bringing forward this subject was to secure the proper administration of the law, could not agree with him in his opinion that the result of the present system was lamentable and dangerous. The great object of the change in the law that had been effected by the Act in question had been to take away from the Sheriff the unlimited power he formerly had of selecting the jurymen at his own discretion. Nine Bills had been introduced at different times on this subject, and in 1858 Chief Justice Whiteside—then Mr. Whiteside —in introducing his Bill taking the discretion from the Sheriff, said the result would be to make partial juries impossible and to convert the Sheriff from a judicial into a Ministerial officer. He (Mr Heron) believed that had been the result of the present Act of Parliament, and that the alteration was absolutely necessary, the state of the jury lists as returned by the different Sheriffs rendering it imperatively necessary there should be a change in the law. There was no doubt whatever that there had been a well-founded opinion in Ireland that trial by jury was not impartial. Under the old law there had been a constant struggle on the part of the Conservatives to have their causes tried by special juries, it being well known that the majority, if not the whole, of the special jurors were Conservatives and Protestants. At one time, when a man once got himself placed on the jury list it was impossible to remove him from it, and the consequence was that a number of persons made a regular profession of serving as jurors. The majority of those persons, of whom there were about 120 altogether in Dublin, were Conservative in politics and reduced in circumstances; they were well known, and during the sittings they never left the precincts of the Court, and the result was that they tried nearly the whole of the cases. He did not wish to say anything against a by-gone system; but he might mention that such jurors were known by the name of "guinea pigs." The power of the Sheriff in making out the jury panels was very large under the old system, as the Sheriff practically put any one he chose upon the panel, and in the case of John M'Kenna, a Roman Catholic, who was tried for the murder of a Protestant at the Monaghan Spring Assizes in 1869, the panel was challenged on the ground —in the old language of the law—that

> "The High Sheriff wilfully and maliciously arrayed the panel unindifferently, with intent to prejudice the prisoner on his trial for life."

That challenge was tried, and, the Sheriff being found guilty of partiality, the panel was quashed, the chief ground on which the decision was given being that scarcely any Roman Catholics were put on the panel, which was virtually composed of members of the Orange Lodges of Monaghan. The result was that all the prisoners for trial—120 in number—had to be let out on bail to the next Assizes, and yet, at the Summer Assizes, the Sheriff returned the very same panel. In the end the Government, acting on the advice of the then Attorney General (Mr. Sullivan) deprived the high Sheriff of his office, and in some of the cases for trial the *venue* was changed to adjacent counties. Evidence had also been given before the Select Committee which had been appointed to inquire into the alleged unlawful assemblies in Westmeath to the effect that sub-Sheriffs were frequently influenced in the selection of jurymen by the prisoner's attorney. It was evident, therefore, that before the passing of the Act in question the Sheriff or his deputy had power to show partiality in the selection of the jury panel. In the county of Cork better juries had never been returned than at the late Assizes, and there had not been a single failure of justice. The same remark applied to the county of Kerry. Mr. Justice Fitzgerald, indeed, had said that on the Munster Circuit, gentlemen of property who had been summoned as jurors did not attend as was usual before farmers and persons of inferior position in society were called upon to attend in that capacity, but he hoped anything of that kind would never again occur. It should be borne in mind that the present system had been in existence for only one Assizes, and that many persons were summoned who, not having acted as jurors before, were probably somewhat awkward in a Court of Justice. One of the great advantages of the present system under the new law was that it brought landlords and tenants a great deal more into personal communication, and in that way was productive of considerable good. The hon. Member for Carlow had referred to a case in Nenagh in which a juror under the new system was found to be intoxicated. No doubt that juror was guilty of great misconduct, but the case did not stand entirely alone, for in every book of legal anecdotes numerous cases of that nature would be found to have happened in England and Ireland, as well as in Scotland. In another case that the hon. Member had referred to, where a juror had asked if he was to be influenced by the speeches of counsel, and the Judge had told him not to mind the lawyer's statements, but to find a verdict on the evidence, according to his conscience, he (Mr. Heron) believed that the juryman had taken a most proper course in putting the question to the Court, and that such a juryman would give an honourable and conscientious verdict. A great lawyer had stated that the system of serving as jurors in England had been one part of the education of the people of England, and it was now for the first time extended to the people of Ireland, instead of being confined to one privileged and limited class. He believed that, upon the whole, jurors had performed their duties impartially. No doubt there was one portion of the existing system which might be improved; he referred to the system of rating in some of the agricultural districts of Ireland. £15 householders in cities and towns were almost certain to be well qualified for jurors; but in some of the agricultural districts the present rating system needed alteration. He would add, in conclusion, that the Bill would, in his opinion, effect one of the objects which according to Lord Bacon ought to be one of the objects of a Court of Justice—it would satisfy the people that justice had been done—which could never be the case while they were excluded from being the judges of facts; for in Ireland there had been perpetual contests about the constitution of juries down to the time when Lord Denman had declared that, under certain circumstances, trial by jury must be regarded as "a delusion, a mockery, and a snare." The present system might be capable of improvement, but he hoped that Parliament would never again intrust sub-Sheriffs with unlimited discretion to summon juries as they pleased; on the contrary, that every man would be summoned in turn, and that all, gentle and simple, would meet together in Courts of Justice.

MR. W. ORMSBY GORE said, nearly the whole of the remarks of the hon. and learned Member who had just spoken had been in condemnation of the Juries Law, as it existed prior to the passing of the late Act, but there was no doubt that the law was in a very bad state, and probably there was not one Member who would not sanction some reform of it; but that was no proof that the present law was efficient or satisfactory. He could corroborate most fully what had fallen from his hon. Friend the Member for Carlow (Mr. Bruen) with respect to the numerous failures of justice which had occurred throughout Ireland. The Grand Jury of the County of Leitrim, at the last Assizes, had expressed, he might add, an opinion to the effect that persons were summoned as jurors who were illiterate and unfit to perform their duties in that capacity. As an illustration he might mention the case of a man who had been tried for perjury, in which five jurors, after finding him "Guilty," the next morning came to the Judge and said they had changed their minds, and they wished to find him "Not Guilty," adding, at the same time, that they did not understand anything at all about it. Everybody else, however, had no doubt as to his guilt. All were of opinion that he richly deserved his sentence. There was another case, in which a man had been charged with robbery and the jury found him guilty of a common assault, which the Judge observed was the queerest name for robbery he had ever heard. He would simply add that there was a Bill before the House called the General Valuation Bill, the effect of which would be to raise the present rating of £15, which gave a qualification to serve as a juror, to £18, while £12 rating would be raised to £15, which would make other men, still more unfit, liable to serve in the future. That was a point which, in his opinion, ought to be referred to a Committee, which would sit to consider the merits of the case. He had much pleasure in supporting the Motion.

THE MARQUESS OF HARTINGTON said, he was obliged to the hon. Member for Carlow (Mr. Bruen) for having brought the subject forward on an evening which was generally devoted to the Motions of private Members, although he, on the part of the Government, had announced it to be his intention to deal with it.

MR. BRUEN said, the Notice he had given to move for a Select Committee had been mentioned before the noble Marquess had stated that he meant to propose the appointment of a Committee.

THE MARQUESS OF HARTINGTON said, he was aware that the Notice had been given a few minutes before he had announced the intentions of the Government; but the hon. Gentleman, knowing what those intentions were, made use of his influence with his Friends to withdraw the Motions which preceded his on the Papers. But be that as it might, his Order of Reference would limit the inquiry to the operation of the Act of 1871. Now, although he was willing to admit that that Act might require alteration, the Committee ought, he thought, to have power to investigate the jury system previous to its passing, and the principles upon which it ought, if necessary, to be amended. He should therefore, propose to substitute for the terms of the Motion the words, "to inquire and report as to the working of the jury system in Ireland before and since the passing of the 34th Victoria, and whether any, and what, amendments should be made in that Act, with a view to the better administration of justice." The speech of his hon. Friend the Member for Tipperary (Mr. Heron) relieved him, he might add, from the necessity of saying on the subject a good deal which he might otherwise have thought it expedient to lay before the House. His hon. Friend had shown that a Committee of that House, consisting of men of the greatest weight and whose judgment was entitled to great respect—the late Sir James Graham being one of them—having inquired into the state of certain counties where outrages and crimes had been extremely frequent, gave it as their opinion that the Irish Jury Law was one of the matters which required amendment with reference to the disturbed condition of those counties. His hon. Friend had also shown from the evidence taken before the Westmeath Committee that, in the words of a most experienced authority on the subject, the state of the jury panel in that county was "perfectly frightful." He had also quoted the case of the county of Monaghan, where the grossest partiality on the part of the Sheriff and sub-Sheriff was proved, and the state of the jury panel to try party cases was such as could not be expected to give confidence to one of the parties concerned. Another proof of the unsatisfactory state of the former jury system was afforded in the county of Cavan, where a prisoner was tried three times for murder; the jury every time disagreed, and after the last trial an application was made for a change of *venue* to some other county. Several of the jurors would not find the prisoner guilty because they were apprehensive that if they did so they would suffer injury to their persons or property; and in that case Chief Justice Whiteside and Mr. Justice Fitzgerald did not deem the jury panel of the county of Cavan to be in a proper condition. The Act of 1871 sought to amend the Jury Law by the introduction of three principles—firstly, by substituting for the existing qualification—namely, a freehold and leasehold one—a rating qualification, secondly, by intrusting to the clerk of the union and the poor rate collector the preparation of the jury list; and thirdly—and most important of all—by taking away from the Sheriff, from the sub-Sheriff, or (as in some instances) from the sub-Sheriff's clerk, the discretion of choosing the panel, and making the Sheriff choose it impartially from a juror's book. Those three principles had all been admitted by every Government and every law officer who had attempted to amend the law on that subject on either side of the House. Since the Report of the Committee to which he had referred there had been no fewer than nine such attempts made, and the majority of these Bills contained the principle of practically terminating the Sheriff's discretion, and three of them—those introduced by Chief Justice Whiteside—took away all discretion from the Sheriff in selecting the jury panel. That appeared to him to be a most valuable and important part of the reform of the jury system effected by the Act of 1871, although the hon. Member for Carlow had devoted the greater portion of his speech to an attack upon that provision. It could not be admitted for a moment that any person, however high, should have the power of selecting, at his own discretion, the men who were to try cases affecting the lives and property of their fellow-subjects. It was extremely probable, so far as their limited experience of the Act of 1871 went, that the qualification had been too much reduced and would be required to be raised. That was a matter which would, of course, engage the attention of the Committee; but the Government had ample justification in the proposals of previous Governments for believing that the qualification they adopted in 1871 would be sufficient to secure a fit class of jurors. In the original Bill, Lord O'Hagan proposed a rating qualification of £30, subject to reduction when necessary. The proper limit appeared from the precedents of former Bills to be between £20 and £30. On the recommendation of the Dublin Chamber of Commerce—a body that took a considerable interest in the Irish Jury Law—the qualification was proposed to be reduced to £20 in the City and County of Dublin. In Committee on the Bill in the House of Lords, Lord O'Hagan proposed special qualifications in certain counties; in some a twofold qualification of £20 in towns and £30 in rural districts, in the remaining counties—except Leitrim—£20 in both towns and rural districts. The reason why a lower qualification had been adopted for Leitrim—namely, £15—was because with a higher qualification they would not have been able in so small a county to obtain a sufficient number of jurors to provide for a regular rotation, and the same jurors would have had to be called upon too frequently. Precisely the same principle was adopted in the Poor Law Act, and although the Act fixed the normal qualification of a guardian in Ireland at £30, yet that qualification existed in only 8 unions. It was £25 in 45 unions, £20 in 91, £15 in 17 unions or electoral divisions, and below that amount in 23. He did not deny that the Bill was passed through the House at a time when it was not easy to have complete discussion; or that with the assent of Mr. Baron Dowse, the qualification was reduced to £12 in towns, and £20 in rural districts; but the fact that the Bill passed through all its stages in July proved that it must have been generally assented to, because opposition must have been fatal to it at that period of the Session. Even supposing the cases brought forward had not been exaggerated, they could not be held to be conclusive as proving the failure of the measure, for the Act only came into operation this year, and it remained to be seen whether in the first panels the provisions of the Act with reference to the exclusion of incapacitated jurors had been complied with, or whether the right of challenge had been properly exercised by the Crown Solicitors. Assenting with willingness to the appointment of a Committee, he expressed the opinion that inquiry should be chiefly directed to two points—first, whether the qualification fixed by the Act of last year was a proper one, or whether it should be raised; and, second, whether there might not be a more complete revision of the jury lists before the Chairmen of Quarter Sessions. He trusted it would not be necessary—and he did not believe it would—to interfere with the really important part of the Bill, which secured perfect impartiality in the selection of the panels, and the removal of what he considered to be a very mischievous and improper power possessed by the Sheriff of selecting from particular panels of the jury lists; but of course it would be competent for the Committee to enter into a discussion of the whole question.

DR. BALL said, that whatever tended to throw light upon the subject would assist the House in framing a measure dealing with the jury law, and having seen some of the jurors under the new system he entertained no doubt that it was absolutely necessary to have a reform in the constitution of the panel. He did not see that there was any necessity for a more extended inquiry than that proposed by the noble Marquess, but no doubt it was indispensable to have that inquiry. He thought it was premature to anticipate the results of the inquiry by indicating any opinion upon any point to be investigated, and he much deprecated limiting the range of the inquiry by the Committee. He anticipated that the Committee would examine the Judges, the Law Officers, and the persons engaged in the administration of the law; and he thought that, until they had their evidence, it was premature to lay down that the jury was to be empanelled in any particular manner, or that there was to be any particular qualification. For his own part, he doubted whether a mere property qualification was sufficient, because he had heard a man who was on a special jury declare that he could neither read nor write. Surely, then, there must be some means of selection. It need not be exercised by the Sheriff; but unless regard was had to something beyond mere property qualification they might find that not one of the jury possessed sufficient intelligence for the trial of a case. He admitted that it was no objection against the Bill that it gave different qualifications, for the rating was not uniform in Ireland; but they would have to ascertain what would enable the administration of the law to be carried on by intelligent jurors. He protested against reference to Liberals or Conservatives in this matter. Such a topic as regarded the constitution of a jury was new to him, and, further, could not be a legal ground of objection. In a jury impanelled by ballot they might have a preponderance of men holding similar political opinions, but were they to suggest to the people that the decision of such a jury would be of no value?

God forbid that any idea should be sent abroad from this House that because a gentleman happened to be a Liberal or a Conservative he would not do his duty as a juror. It was not of the slightest consequence what were the politics or what was the religion of a juror; but he must be sufficiently intelligent to understand the legal terms brought into the discussion, the charge of the Judge, and the addresses of counsel. Recently it had been stated that at the trial for the Omagh murder, which lasted 10 days, and turned upon circumstantial evidence, the jury, after retiring, returned into Court to ask whether a man could be convicted of murder unless some one had seen the murder committed. That was not an instance of partizanship, but simply of want of intelligence. It was for the common interest to guard against such occurrences, and therefore he hoped that every means would be adopted by the Committee to ascertain what alterations in the law were necessary.

Mr. M'CARTHY DOWNING said, it was at his instance that last year the qualification of jurors in towns was reduced from £20 to £12, because he had obtained Returns which convinced those in charge of the Bill that without such reduction it would in some instances be impossible to obtain a sufficient number of men to constitute a jury. It should be remembered that the reduction of the qualification was not made on the representation of any Member of the House, but on that of the Chamber of Commerce in Dublin. There was no question that the principle of the Act was right. The grand jury of Cork, of which body he was a member, were prepared before the Assizes commenced to pass a resolution condemnatory of the Act in the strongest terms, but having waited till they had experience of its working they passed a resolution merely to the effect that the Act required amendment; and Mr. Justice Fitzgerald in dismissing the panel said,—"I dismiss you, thanking you for your attendance and for the admirable manner in which you have found your verdicts." He quite concurred with what had been stated to the effect that there should be a different qualification of jurors in different counties, but he thought the whole case would be met if the Chairman of the Quarter Sessions had power to strike off the list those who had not the means of attending the Assizes. It was all very well to cry out against a new system, but he believed that the present Act, amended in the direction he had intimated, would command the confidence of all classes in Ireland.

Mr. BOURKE said, that as the Committee was to be granted, any discussion was a waste of time. He would suggest that the Order of Reference should be enlarged sufficiently to allow of evidence being given with regard to the desirability of having unanimity upon juries. That was a question as to which there was a strong opinion in Ireland, and, as he understood, the highest authorities with reference to the working of the jury system were ready to give their opinion upon it. They must beware lest in altering the qualifications very much they might exclude some of the best jurors.

Mr. Serjeant SHERLOCK said, it was of great importance that there should not be such an extension of the Order of Reference as would interfere with an amendment of the jury law before the next Assizes.

Colonel ANNESLEY said, he was glad that the Government had agreed to grant a Committee. The present state of the jury system in Ireland was simply scandalous. For the last 16 years he he had acted as foreman of the grand jury of the county for which he sat (Cavan), and had therefore had some opportunities of becoming acquainted with the subject. Formerly convictions were very difficult to obtain; but now, startling as the statement might appear—murder, he believed, might be committed with impunity in some parts of Ireland. He had given the noble Marquess the Chief Secretary to the Lord Lieutenant notice that he would mention one case which he thought illustrated the operation of the present jury system. A small farmer in the county of Cavan seduced an unfortunate young woman, who was in the family way. She met him subsequently in a market town, and accompanied him into a field, where she was murdered by him, and her body partly hidden. The dreadful deed was witnessed by a man who was at the time in an adjoining field, and who gave evidence which left no doubt on the mind of the grand jury as to the guilt of the accused. The prisoner was tried at the next Assizes, and the same evidence was given, but the jury disagreed. Again, he was tried at the next Assizes with the same result, and at the last Assizes there was a third trial and a third disagreement. On inquiring what became of the murderer he was told that his passage had been paid to America by the Government, who had also given him a sum of money. [The Marquess of HARTINGTON said that was not true.] It was satisfactory to hear it denied; he could not believe the report, but it had been publicly stated in the grand jury room. Another case of brutal murder came before the same grand jury, respecting which no doubt could exist in any sane mind. A dispute having arisen between two neighbours respecting a quarter of an acre of bog, the one, who was partially blind, met the other, who was partially intoxicated, and stabbed him 18 times. Five of the wounds were mortal, and the accused having been seen grappling with the murdered man was apprehended shortly afterwards. His brother was taken with him, upon which he said, "He did not do it; what was done I did." Here was a positive confession in addition to eye witnesses of the act. The Judge who tried the case was Baron Dowse, who charged the jury to the effect that that was murder, and nothing else. The Judge charged them at five in in the evening, and the jury were locked up till ten o'clock next morning, and then they were discharged. What more monstrous failure of justice could be conceived? The hon. Member for Cork (Mr. Downing) said the people of Ireland had confidence in the Act. That opinion did not coincide with his experience. He had still one other case. An ex-policeman who had been active in apprehending Fenians was followed by two rough men from a market, one of whom felled him with a club by a blow sufficient to fell an ox. The ex-policeman was taken to the hospital, and died in three days. There were eye-witnesses to that act also, but the jury would not convict for murder, and the matter was compromised by a verdict of manslaughter. The case ended by a severe sentence of penal servitude. Certainly, these cases showed that the law could not be administered in Ireland to the satisfaction of the country.

Mr. **BRUEN** said, that as the noble Marquess the Chief Secretary for Ireland proposed a new form of inquiry for the Committee, it only remained for him to withdraw his Motion, and in doing so to express his thanks to the hon. Members who had kindly enabled him to bring the matter before the House.

Colonel **STUART KNOX** regretted the Reference had been extended. It would now be impossible to legislate this year, and murder, robbery, and other crimes would go unpunished in Ireland till next Session. He protested against a country being left in the dreadful state in which Ireland was at present. The hon. Member for Cork (Mr. Downing) might say everybody was satisfied in Ireland, but the fact was none were satisfied but criminals.

Sir **JOHN ESMONDE** protested against the number of jurors in Ireland being diminished.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Supply—*considered* in Committee.

(In the Committee.)

£136,000, on account, for the Post Office Telegraph Service.

Resolution to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

JURIES ACT (IRELAND), 1871.

Returns *ordered,* "for each county, county of a city, and county of a town in Ireland, of all applications which have been made at the late Spring Assizes by any County Officers or Poor Rate Collectors, for repayment of expenses incurred by them, and for remuneration, under the Act 34 and 35 Vic. c. 65."

"Of all Presentments made for such expenses and remuneration."

"Of all Resolutions passed by Grand Juries relative thereto."

"And, for each Poor Law Union in Ireland, of all allowances made out of the rates by the Guardians, and approved of by the Local Government Board, to Clerks of Unions for expenses and remuneration under the above named Act."—(*Mr. Bruen.*)

House adjourned at a quarter after Eight o'clock.

HOUSE OF LORDS,

Saturday, 29th March, 1873.

MINUTES.]—PUBLIC BILLS—*Second Reading—Committee negatived—Third Reading*—Consolidated Fund (£9,317,346 19*s.* 9*d.*) *, and *passed.*
Royal Assent—(£9,317,346 19*s.* 9*d.*) Consolidated Fund [36 *Vict.* c. 3]; Victoria Embankment (Somerset House) [36 *Vict.* c. 4]; Epping Forest [36 *Vict.* c. 5]; Drainage and Improvement of Lands (Ireland) Provisional Orders [36 *Vict.* c. ii].

Their Lordships met;—and the Royal Assent having been given by Commission to the (£9,317,346 19*s.* 9*d.*) Consolidated Fund Bill,

House adjourned at a quarter before Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Saturday, 29th March, 1873.

The House met at half after Six of the clock.

Message to attend the Lords Commissioners:—

The House went;—and being returned;—

Mr. Speaker *reported* the *Royal Assent* to,—(£9,317,346 19*s.* 9*d.*) Consolidated Fund Bill, Victoria Embankment (Somerset House) Bill, Epping Forest Bill, and Drainage and Improvement of Lands (Ireland) Provisional Orders Bill.

House adjourned at a quarter before Seven o'clock till Monday.

HOUSE OF LORDS,

Monday, 31st March, 1873.

MINUTES.]—PUBLIC BILLS—*First Reading*—Endowed Schools (Address) * (54).
Second Reading—Salmon Fisheries Commissioners * (47).
Report—Custody of Infants * (51).

ALDERNEY (HARBOUR AND FORTIFICATIONS).

REPORT OF THE SELECT COMMITTEE.

THE DUKE OF SOMERSET rose to call the attention of the House to the Report of the Select Committee in last Session on the works in Alderney, and to move for any Minute or Report which will explain the intentions of the Government in regard to the maintenance of those works.

VISCOUNT HALIFAX rose and said, he had to make an appeal to his noble Friend. The Committee, of which the noble Duke was Chairman, had only made their Report last Session, and it was impossible that anything could have been done to the works without a Vote. The views of the Government did not, perhaps, differ very much from those expressed in the Report of the Committee; but they had not had sufficient time to go into the subject so thoroughly as to enable them to make any proposal in the Estimates for the present year. More than that—they understood that during the winter considerable injury had been done to the Breakwater. It was essential, therefore, that there should be an examination of the actual state of the Breakwater, and with that view Mr. Hawkshaw and Lieutenant Colonel A. Clarke, the two engineers who had examined the works, were about to again visit Alderney—they would go over during the Easter vacation. He hoped, therefore, his noble Friend would be good enough to postpone his Motion till after Easter. It was important to his noble Friend himself that he should be put in possession of the latest information as to the state of the Breakwater, and if he postponed his Motion the Government at the earliest possible period after Easter would state what their intentions were as regarded the subject of his noble Friend's Notice.

THE DUKE OF SOMERSET said, he did not wish to press his Motion against the views of Her Majesty's Government, and therefore would accede to his noble Friend's request, but with the clear understanding that after Easter he (Viscount Halifax), or some other Member of the Government, would state what course it meant to pursue. Of course, it would be competent for him to make any Motion he might think it advisable to submit to their Lordships after he had heard what the Government proposed to do.

NAVY—H.M.S. THE "DEVASTATION."

QUESTION.

THE EARL OF LAUDERDALE said, that in rising to put some inquiries on the subject of Her Majesty's ship *Devastation*, he must remind their Lordships that his Questions had been on the Notice Paper upwards of six weeks, and that he had postponed the matter at the request of his noble Friend the Earl of Camperdown, until after the First Lord of the Admiralty should have made his official statement to the other House in moving the Navy Estimates. The right hon. Gentleman had now made a very clear and straightforward statement, showing the state of the Navy generally; but when touching on professional points he said he did not so much speak for himself as repeat the opinions of his professional advisers and of scientific men; consequently, it was to those professional men and philosophers any observations which he (the Earl of Lauderdale) had now to make would be mainly directed. The *Devastation* was one of four vessels of the same class and character—the others being the *Thunderer*, the *Fury*, and another. Those vessels were intended to be sea-going ships, and the question to be determined was whether they really were safe-going vessels. They had no masts, and there had never before been ships of war with such a low freeboard and such a high centre of gravity. He considered these to be most dangerous features in such vessels, and it was necessary that there should be a trial of the *Devastation* as soon as possible—and all the more necessary because it had been found necessary to appoint a Royal Commission to inquire into the subject of the serious loss of merchant vessels, much of which was attributed to low freeboards. Why were the *Devastation* and the *Thunderer* and the two other vessels of the same class to have a low freeboard and a high centre of gravity? The reason assigned was that those qualities were supposed to give a steady platform, so that the fire of the guns would not be thrown away. In passenger ships a low freeboard and a high centre of gravity were believed to contribute to the comfort of the stomachs of those on board. In a ship-of-war a steady platform was exceedingly desirable—it was indeed a requisite; but that object, however valuable, must not be obtained at the sacrifice of the safety of the ship and her crew. Now, up to the present time there was nothing but theory to show that those low freeboards were safe. He thought, however, the public would not be satisfied to go on theory alone—we wanted experiment. When guns of a new kind were constructed they were subjected to the utmost trial—they were tried till they burst. He did not go to the length of saying a ship ought to be tried until she was destroyed, but he did think that she ought to be tried until it became apparent that it would not be safe to try her further. The First Lord of the Admiralty said that Department would look on the *Devastation* as a trial vessel. Well, if she was really to be tried against a heavy sea, the sooner that was done the better. For himself, he had no objection to the building of one such ship as the *Devastation;* but as an experiment, because he was not at all satisfied that vessels of that class would prove to be good sea-going ships. He found that some authorities denied that the *Devastation* was a vessel of low freeboard, and asserted that she had a foot and a half more freeboard than certain passenger vessels. What were the facts? She had 9 feet out of the water forward, and 4 feet 6 inches aft. He had never heard of a passenger ship with such a low freeboard as that. The *Serapis* was 22 feet out of the water forward, and 16 feet aft. The *Thunderer* had been round by Plymouth and Portsmouth recently, when she was going 12 knots. He thought the sea must have been nearly smooth then; but as the vessel was going at 12 knots, and in a cross sea, that would make a great wind. He thought there was some miscalculation as to the actual wind blowing in the Channel; but at all events the experiment with the *Thunderer* could not be regarded as one which settled the question of low freeboards. It was said that the *Devastation* could not be capsized because she had no sails, but ships with sails were not capsized till the sails were blown away. The *Devastation* had a great hurricane-house, and the danger of her capsizing would probably arise, if it arose at all, from the sea acting on that and as it were getting under the eaves of it. One question which ought at once to be settled was whether the *Devastation* was a high freeboard or a low one. His own opinion was that she was a low freeboard. Was Her Majesty's Government satisfied that such a vessel as this would be safe at sea and able to live in a gale? The professional advisers of the First Lord were of opinion that she was fit to go to any part of the world; but he had his doubts on that point. He was satisfied of this—that if every vessel in the British Navy were to be cut down to the same freeboard as the *Devastation*, there would not be one of them but would be unseaworthy. The *Monarch* turret-ship was 24 feet over water at the bows; the *Sultan* was 31 feet, and the *Royal Sovereign* 10 feet, and she was not a good sea-going vessel. The *Blazer* gunboat, which was not much larger than a ship's launch, was 9 feet. What the performance at sea of vessels of the *Devastation* class would be, was a very serious matter; and in order to solve it as little delay as possible should be allowed to intervene before there was a trial. He did not want the vessel to be taken to sea in a gale of wind, but he thought that she ought to be taken down the Channel at four or five knots. If it was found that there was no danger at that speed, she might be taken a little further, and got into the trough of the sea; and if she answered so far, she might be taken out to sea until the officers on board did not think fit to go any further; or let her be taken to Bantry Bay in company with the *Monarch*, or some other of Her Majesty's sea-going ships—let her wait until a gale came, and after the gale had blown itself out let her go out and see how she would behave herself in the heavy swell that would follow. He believed that could be done without danger, and it was the only effectual and satisfactory mode of dealing with such a vessel as the *Devastation*. Thirty years ago he served on a Committee for Harbour Defences—the Committee had a good adviser in Mr. Scott Russell—that Committee contemplated the building of vessels of freeboard, but at the time they were intended for harbour defence, and not for sea-going ships. There were seas 20 feet, 30 feet, 40 feet, and 50 feet high. Admiral Fitzroy was not prepared to say that there were not seas even 60 feet high; but let them take a sea 30 feet high, and how would the captain force such a ship as the *Devastation* off a lee shore? He agreed it was quite right to build the *Devastation* as a trial ship; but three more of these vessels had been built at a cost of £2,000,000, and yet no proper test of their safety had as yet been made. He begged to ask, If the "Devastation" is to be inclined in order to ascertain her stability at various angles; and as to what trials are to be made at sea in order to ascertain her efficiency and safety as a sea-going vessel in bad weather such as a sea-going vessel was liable to encounter at all seasons?

The Earl of CAMPERDOWN hoped his noble Friend would excuse him if he did not occupy their Lordships' time by entering into the comparative merits of broadside iron ships, turret ships with high freeboard, and turret ships with low freeboard. Each of these classes had its advocates, and as they were able men he could not pretend to say how long the discussion might not be maintained. In reference to the Question itself, he had to thank his noble Friend (the Earl of Lauderdale) for having acceded to his request for a postponement of his Questions till after the statement of the First Lord of the Admiralty in "another place," and he thought their Lordships had the advantage of a very clear and able statement. He thought that when a new class of ship was introduced into the Navy, it was both right and proper that the first official statement respecting it should be made by that Member of the Government who, more than any other person, was responsible to Parliament and the country for the ships built under the direction of the Board of Admiralty. With reference to the observation of his noble Friend as to the First Lord having in the matter of ships of the *Devastation* class acted on the advice of professional advisers and men of science—whom his noble Friend was pleased to term "philosophers"—he thought it right to remind him that among those professional advisers and scientific men were naval officers of the highest experience, including Controllers like Sir Spencer Robinson and Admiral Stewart; and those ships had been designed not only on the advice of professional advisers, but also on that of the Committee, who examined and considered designs submitted to the First Lord. He found that on the 24th of March, 1869, the following gentlemen, especially invited by the First Lord, assembled at the Admiralty:—Admiral the Earl of Lauderdale, Rear Admiral H. R. Yelverton, Captain Cowper Coles, Mr. William Fairbairn, Mr. Joseph Whitworth, and Dr. Woolley; and that there were also present besides all the members of the Board of Admiralty, Rear Admiral Key and Mr. E. J. Reed, at that time Chief Constructor of the Navy. A design was submitted, and the First Lord taking a note of the principal and important features of that design, invited a discussion upon each of these *seriatim*. They were considered to be—1, low freeboard; 2, draught of water with special reference to twin screws; 3, the absence of masts; and, 4th, the nature of the armaments. He believed that 8 feet 9 inches forward and 4 feet 6 inches aft was the freeboard in the design approved, not only by that Committee, but also by the Committee presided over by Lord Dufferin. It was then believed that ships of the *Devastation* class would prove first-class fighting ships; and, notwithstanding the doubts expressed by his noble Friend to the contrary, it would, perhaps, be a proof to the House and the country that in the minds of experienced officers there was great confidence in those vessels, if he mentioned that Admiral Stewart was prepared to take a passage in the *Devastation* on her trial trip, and that Mr. Barnaby, the Chief Naval Architect, had asked permission to be on board during the trial. As to the force of the wind on the occasion when the sister ship of the *Devastation*, the *Thunderer*, made her trip, he thought it was not likely there had been any miscalculation as to the wind, Admiral Stewart being on board; but, even granting that there had been such a mistake, and the force of wind was not so great as had been stated, still the result showed that the *Thunderer* made better way against a head sea than the *Valorous*. Some curiosity had been expressed to know why, when the *Devastation* had been tried so long ago as October last, no further trial of her had been made since that time. The trial in October was one for her engines, and with a view to deciding on the engines for other vessels, it was desirable the experiments should be made at the earliest possible period. If his right hon. Friend the First Lord, when making his statement on the Navy Estimates, and if he himself now spoke with caution respecting the *Devastation*, it was not that they, or that the advisers of the Admiralty had any reason to question her safety or stability as a sea-going ship, but because they had not yet had any experience of the *Devastation's* sea-going powers; and, until they had satisfactory evidence on the subject from experience, they would not say that she was in that respect a satisfactory ship. At the same time everything approaching a trial that she or the *Thunderer* had undergone had been in the direction of success, and the First Lord had no ground for supposing, from what his professional advisers said, that there was the least reason to question her safety or stability. The reason there had been no trial since October was that it had not been thought desirable to make a further trial until her fittings were complete. They would be complete in a few days, and then she would be subjected to a different trial from that which she had undergone to test the power of her engines. That was not the sort of trial contemplated by his noble Friend; but there would be a series of progressive trials such as he had spoken of in order that the sea-going qualities of the *Devastation* might be fully tested. The Admiralty were quite aware of the responsibility which the invention of a new class of ship entailed upon them. They were perfectly aware that the *Devastation* was an experimental ship, and while they did not in the least distrust her, they felt that every precaution must be taken in conducting these trials so as not to endanger the lives of those who were on board. His noble Friend, however, rather overstated the case in mentioning that her freeboard was so very low. Perhaps, it had escaped his recollection that since she was originally designed her superstructure had been increased, the effect of which had been to raise very materially the height of her freeboard, and, therefore, to increase her stability. [The Earl of LAUDERDALE: That is amidships. My figures are fore and aft.] Originally, she was designed for 50 feet of her length forward with a freeboard of 8 feet 9 inches; and for the remaining 234 feet of her length with a freeboard of 4 feet 6 inches. Now, by the alterations made, for the first 60 feet of her length she has a freeboard of 8 feet 9 inches, as originally proposed; for the next 184 feet she has a freeboard of 10 feet 9 inches; and only for the last 50 feet has she a freeboard of 4 feet 6 inches. In this way the range of her stability had been increased from 43 degrees, as originally designed, to 55½ degrees. The ship had been inclined some time ago, and the inclination showed the result he had just mentioned. Within the last few days she had been inclined a second time. The calculations had not yet been worked out; but he should be glad to let his noble Friend have them when they were completed. Having now given what he thought was a complete answer to the question, he would only repeat a hope that it would not be supposed that the Admiralty were running anything which could properly be called a risk with respect to this new class of ship. Of course, every new type of vessel was necessarily an experiment, possessing qualities which could only be tested by actual trial. All the Admiralty could do was to take every precaution, and see that no risk was run, and that the officers in charge were persons in whom the country and the service placed confidence. He was sure his noble Friend would agree with him that no fitter person could have been chosen, and no one in whom the ship's company would have greater confidence than Captain Hewitt, to whom the command of the *Devastation* had been given.

THE DUKE OF SOMERSET wished to say a few words on this matter. This was an experimental ship, and for the last seven or eight years a great deal had been heard in the House of Commons as to the necessity of fixing the responsibility for every ship that was built. Now, he wanted to show their Lordships the position at which we had arrived with regard to the responsibility for this experimental ship, the *Devastation.* The vessel was designed by Mr. Reed, and the drawings were at the Dockyard, but when he left the Admiralty the stem had only just been laid down. As, however, he was very anxious that justice should be done to the ship, he offered to give his services gratuitously in order that the vessel might be built according to his design;—and, of course, in planning so complicated a structure a great deal must be still in the designer's mind, without being reduced to paper. Mr. Reed's offer was refused. He was told that he was not wanted, and that the Constructing Committee at the Admiralty could build the vessel without his assistance. He left the Admiralty, and the Constructing Committee began their work; but before they had gone far the Admiralty appointed another Committee—Lord Dufferin's Committee, as it was called. They sat in the Board Room at the Admiralty, took evidence, and recommended what they thought right, superseding both Mr. Reed and the Constructing Committee. But, after discussing the question they were divided in opinion—one section desiring that the ship should be constructed in one way, and the other in another way. Their Report, therefore, was not a very satisfactory one. The *Devastation* was talked of as a fighting ship; but what did the Committee themselves say in their Report of July 26, 1871 ?—

> "Persons whose opinions are entitled to weight have expressed their conviction that it will be impossible for these ships to be forced head to sea without being smothered. This is a point which cannot be decided in any other way than by actual trial."

So that, according to the Committee, until we had smothered the *Devastation* we could not know whether it was in danger of being smothered. Well, after this the Admiralty took the ship in hand. But Mr. Goschen could not be fixed with the responsibility—he could not set aside the Report of a Committee sitting in the Board Room of the Admiralty; nor could the Constructing Committee accept the responsibility, because they had been superseded by another Committee. Thus, if the *Devastation* should meet with the fate of the *Captain*, we should be in the same position now as we were then, and should not know where to fix responsibility. It was clear that under such a system no one could be responsible for ships that were built. His noble Friend (the Earl of Lauderdale) talked of the responsibility of the Admiralty; but it was not fair to fix the responsibility on Mr. Goschen. He had asked, in their Lordships' Committee, Admiral Robinson who would be responsible for the *Devastation* when completed, and Admiral Robinson said that he could not tell; that the Constructing Committee had departed from his recommendation, and therefore he could not be responsible any more than Mr. Reed could be. Thus the responsibility was shifted from one to another, and it was now impossible to say who was responsible for this ship. Such a state of things was most unsatisfactory.

VISCOUNT HALIFAX said, the experience of his noble Friend (the Duke of Somerset) at the Admiralty must surely have taught him that when experimental ships were being built it was the duty of the First Lord to take the best advice he could during the whole time of their construction; and this was not less the case when a considerable time elapsed before the vessel was sent to sea. There could not, however, be the slightest doubt who was responsible when such a vessel actually went to sea. It was the Board of Admiralty, at the time of her being sent to sea, and the Constructor upon whose official responsibility the final arrangements of the vessel were determined. In this case, no doubt, there had been alterations of construction since Mr. Reed laid the first lines of the *Devastation.* The ultimate responsibility lay with the Admiralty, whose present adviser was Mr. Barnaby. So far as Constructors were responsible, he was responsible for the ship as she stood at this moment. All authorities concurred in the necessity of having ships with a much lower freeboard than was formerly the case when they were not armour-plated. The reason was that if the height of ships out of the water was as great as that of the old class of ships it would be impossible they could carry the armour-plating which was necessary to make them efficient engines of war. The scientific men and the naval men who were consulted concurred in believing that the *Devastation* was the type of the fighting ship of the future. It was impossible, however, to establish the soundness of a theory without ample experiment. Theory went a long way, but experience went further. His right hon. Friend Mr. Goschen was proceeding in the matter with great care, while recognizing fully the fact that the *Devastation* must be tried under all those conditions which, as a sea-going ship, she must be prepared to meet. So far as her engines were concerned, she would be tried directly, and if that trial was satisfactory she would proceed to sea at once. In a very few days, therefore, an opportunity would be given for testing, as his noble Friend had pointed out, the sea-going capabilities of this ship.

The Earl of LAUDERDALE said, that though there were not only scientific and philosophical and the best known men on Lord Dufferin's Committee, there was not a single naval architect, according to the best of his knowledge, who was accustomed to build iron ships of that size. The principle adopted was far away from the principle of no freeboard, and if the principle of no freeboard had been adopted, the water would have simply washed over the vessel and she would have been steady. It was easy to explain why the *Thunderer* had sailed 12 knots in rough weather, when she was going to Portsmouth the other day, accompanied by the *Valorous.* He believed the *Valorous* had only 2,000 tons weight, whereas the *Thunderer* had 10,000 tons, so that if they were caught in a chopping sea, the weight and length of the *Thunderer* would cause her to go very smoothly ahead, which the *Valorous* with her lighter weight could not do. His noble Friend (the Earl of Camperdown) had reminded him that he was on the Committee which recommended the building of this ship. Now, he certainly was on that Committee, and he had stated so before to the House. When the papers were laid before him first of all, and his opinion was asked whether a ship of that type would be serviceable, he asked if she was intended to be a regular sea-going ship and to do the business of the country wherever wanted; and the reply being in the affirmative, he said that he did not think she would do, or that she would be safe. Another member, Mr. Fairbairn, one of the Naval Architects, to whom the question was also put, said that he could give no other answer than that given by the Earl of Lauderdale. In the course of the discussion he (the Earl of Lauderdale) said there was no use arguing this point, and as some said she would be fit for anything, and as others said she would not, and as there was only one way of deciding the question, the thing to be done was to build one ship and try her; and under these circumstances he would give his approval to the building of one vessel. That was a very different thing from advocating the building of four such vessels for the Navy. But while saying she would not be fit for sea-going service, he had admitted she would be one of the most powerful vessels in the Navy, and would do for coast defence; but the drawback even there would be that she drew too much water. He certainly could not be described as one who had advocated the *Devastation* class of ships before the principle had been tried.

The Earl of CAMPERDOWN said, that the remarks which the noble Earl had just addressed to their Lordships would illustrate the difficulties in which the Admiralty was sometimes placed. The noble Earl had told them that he was for building one ship of the *Devasta-*

tion class, and one only; but last autumn their Lordships would have seen every kind of advice given to the Admiralty through the medium of the public journals. If there were eminent naval officers who advocated the building of one ship of the *Devastation* type only, there were persons equally eminent who advised the Admiralty to build a squadron of *Devastations.* The Admiralty were then told they had no gunboats, and that they ought to build squadrons of gunboats. They were also told that they had no frigates, and that they ought to build squadrons of frigates. He was glad therefore to find that there were in naval circles officers like his noble Friend who thought the Admiralty sometimes did too much in the way of shipbuilding.

House adjourned at a quarter before Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 31*st March*, 1873.

MINUTES.]—Select Committee—Juries (Ireland), *appointed.*

Supply—*Resolution* [March 28] *reported.*

Public Bills—*Ordered*—Land Rights and Conveyancing (Scotland) *.

Ordered — First Reading — Building Societies* [109]; Gretton Chapel Marriages Legalization* [110].

Second Reading — Matrimonial Causes Acts Amendment* [101]; East India Stock Dividend Redemption* [102]; East India Loan* [103]; Metropolitan Commons Supplemental* [107].

Committee—Railway and Canal Traffic [121]—R.P.

Committee—Report—Marine Mutiny*; Sites for Places of Religious Worship* [25].

Third Reading—Mutiny; Income Tax Assessment* [98]; Turks and Caicos Islands* [87]; Public Worship Facilities* [100], and *passed.*

THE "MURILLO."—QUESTION.

Mr. T. E. SMITH asked the Under Secretary of State for Foreign Affairs, Whether any further progress has been made in the investigation in Cadiz into the charges against the captain and officers of the "Murillo;" whether the "Murillo" is still under arrest; and when the Correspondence thereon will be laid upon the Table?

Viscount ENFIELD: Sir, the case of the *Murillo* is still pending before the Spanish Tribunal, and the vessel, according to the latest intelligence received at the Foreign Office, is still under detention at Cadiz. It is not usual to present to Parliament correspondence relating to a case which may be pending between two Governments until the correspondence is completed, and the correspondence relating to this case being still pending with the Spanish Government, it would not be right to present the Papers in an incomplete form. I may add, in justice to the Spanish authorities at Madrid, that they have shown every disposition to assist in arriving at the truth and in elucidating the facts of the case.

SUEZ CANAL—SHIPPING TOLLS.

QUESTION.

Mr. BAILLIE COCHRANE asked the Under Secretary of State for Foreign Affairs, If his attention has been called to the fact that the "Liberté" of March 27th, publishes a letter written by M. Barthelemy St. Hilaire to M. de Lesseps, warmly congratulating him in the name of M. Thiers on the verdict by the Suez Canal Company against the Messageries Maritimes, M. Thiers warmly agrees with the views of the Company on the tonnage question, and promised to speak to Lord Lyons in this sense, and will otherwise support the Company as far as possible; and what instructions have been sent to Lord Lyons on this important subject?

Viscount ENFIELD: The letter, Sir, in question is dated the 14th instant. On the 17th, Her Majesty's Government learnt from Her Majesty's Ambassador at Constantinople that M. de Lesseps had announced that he had received such a communication. Instructions were sent the same evening to Lord Lyons, directing him to ascertain without loss of time whether M. de Lesseps was justified in using M. Thiers's name in insisting at Constantinople upon the pretensions of the Canal Company. Lord Lyons saw M. de Rémusat on the following day, who, in reply to his inquiry, said that certainly M. de Lesseps had not any official authority to use M. Thiers's name in the matter. In forwarding an extract from the *Liberté* on the 28th instant containing this letter, Lord Lyons, referring to the mention of his name in it, says—"Nothing of the kind has ever been said to me by the President of the Republic."

POST OFFICE—TELEGRAPH ACT, 1869—COMPENSATIONS.—QUESTION.

MR. W. FOWLER asked the Postmaster General, What progress has been made in the settlement of the amounts still payable to Railway Companies as compensation under the Telegraph Act, 1869; and, whether he can state what was the estimated amount of such compensation?

MR. MONSELL: Sir, the Post Office has already concluded arrangements with 40 railway companies, who possess the greater part of the railways of the United Kingdom. Arbitration is going on with 10 or 11 railway companies; but it is impossible to say when the arrangements with the remainder of the railway companies will be completed, or what sum arbitrators will award to them.

CIVIL SERVICE EXAMINATION—PUBLIC DEPARTMENTS.—QUESTION.

THE O'CONOR DON (for Mr. O'REILLY) asked Mr. Chancellor of the Exchequer, If he would state to how many of the Public Departments in the Schedule to the Orders in Council on the subject of examination the Treasury claim the right by Act of Parliament to appoint without conforming to the regulations of the Order in Council?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that the Treasury and all other Departments to whom full powers of appointment were granted by Act of Parliament possessed the right alluded to in the question. He could not enumerate those Departments. But if it were meant to ask, whether it was the intention of the Treasury to exercise that right, he begged to say it had no such intention.

CIVIL SERVICE (IRELAND)—REPORTS OF THE COMMISSIONERS.

QUESTION.

THE O'CONOR DON (for Mr. O'REILLY) asked Mr. Chancellor of the Exchequer, in reference to an answer of his on Monday, Whether the Reports of the Commissioners appointed last year to inquire into the case of the Dublin Metropolitan Police, the Irish Constabulary, and certain other branches of the Civil Service in Ireland, the last of which was signed by the Commissioners on the 14th December, were received at the Treasury on the following dates:—The Report and Evidence on the Dublin Metropolitan Police on the 19th December, that on the Constabulary and Resident Magistrates on the 24th January, and the other Reports in the first week of February; and, whether he can explain the delay in their regard?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, the Reports alluded to were received at the Treasury at the dates given in the Question, except the last, which was received in the second, not the first, week of February. Three of the Reports had been referred to the Irish Government, and the last would be so referred. The Irish Government had not yet arrived at a decision with respect to them, and undoubtedly a considerable time must be allowed for consideration, seeing that the matters involved were of so much importance. In the meantime a certain provisional improvement had been made in the pay of the Irish Constabulary and the Dublin Metropolitan Police.

NAVY—SYSTEM OF NAVIGATION.

QUESTION.

MR. HANBURY-TRACY asked the First Lord of the Admiralty, Whether he intends to take any steps for giving the general body of the executive Officers of the Navy facilities for obtaining knowledge and experience in practical navigation, pilotage, and surveying duties, and for afterwards utilising the experience so gained; and, whether he will state what alterations he proposes to make generally in the system under which Her Majesty's Ships are at present navigated?

MR. GOSCHEN, in reply, said, his broad answer was that it was not proposed to make any organic change in the system under which Her Majesty's ships were at present navigated, or to abolish the class of navigating officers. With regard to the more detailed Question as to the instruction of Her Majesty's officers in pilotage, surveying, and practical navigation, it would require too lengthened a statement to admit of his going into the subject at present. He would endeavour to give the hon. Gentleman the information to which he was entitled in the course of the discussion on the Navy Estimates.

THE FIJI ISLANDS—CONSUL MARCH.

QUESTION.

Mr. DIXON asked the Under Secretary of State for Foreign Affairs, Whether any request has been received by Her Majesty's Government from the Government of the Fiji Islands for the removal of Consul March?

Viscount ENFIELD: Sir, a communication has been received from the Fijian authorities requesting the removal of Mr. Consul March; but before the receipt of that communication Lord Granville had already decided that, in the interests of the public service, it would be desirable, looking to the altered state of things in the Fijis, brought about by the establishment of a quasi-regular form of Government, that Mr. Consul March should be transferred to another post. This determination was come to, not on account of any misconduct on the part of Mr. Consul March, or disapproval of his proceedings, but solely from a conviction that the relative positions of the Consul, and of those who administered the newly-established Government of the Fijis had become so altered that in the interests of both parties a change was required.

SUGAR DUTIES — INTERNATIONAL CONFERENCE, 1864.—QUESTION.

Mr. GRIEVE asked Mr. Chancellor of the Exchequer, Whether France has complied with the arrangement entered into at the recent Conference, that each of the Four Powers which were parties to the International Convention of 1864, should study the question of chemical analysis as applied to the assessment of the Sugar Duty, with the view of ascertaining whether science will furnish, as a corrective of the imperfections of the system of assessment by colour, some quicker and more practical processes than the various methods of saccharimentary at present adopted by one part of the European sugar trade?

The CHANCELLOR of the EXCHEQUER, in reply, said, that Her Majesty's Government had received no communication from the French Government on the subject.

Mr. Goschen

IRELAND—THE RIVER SHANNON.

QUESTION.

Major TRENCH asked the Chancellor of the Exchequer, Whether, having regard to the urgency of the case, he will, on the earliest opportunity, bring in a Bill for improving the Drainage and Navigation of the River Shannon, and enabling those interested in the former to co-operate with the Government in effecting this purpose?

The CHANCELLOR of the EXCHEQUER, in reply, said, as to the navigation of the River Shannon, he was not aware that anything was required to be done. As far as the drainage went, he had considered the question very carefully, and he was sorry to say he did not think it advisable to introduce a Bill on the subject.

EDUCATION DEPARTMENT—THE NEW CODE, 1873.—QUESTIONS.

Mr. J. G. TALBOT asked the Vice President of the Council, Whether, if the Time Table, which the Inspector sees at his annual visit, shows what extra subject is intended to be taught, the six months' notice required by the New Code, 1873, page 32, will be satisfied; or, whether in all cases an outline of the course of instruction similar to those suggested in the Fourth Schedule must be sent to the Inspector six months before the annual examination?

Mr. W. E. FORSTER, in reply, said, that the requirements of the Code would be satisfied if the Time Table, and the outline of the course of instruction were shown to the Inspector.

Lord EDMOND FITZMAURICE asked, If it is true that the Education Department has decided that united school districts formed under Clauses 40, 41, and 43 of the Education Act of 1870 are not entitled to the formation in them of School Boards without inquiry upon application, as provided in Clause 12, sub-sec. (1); and, if so, how this decision can be reconciled with the following words, which occurr in Sec. 40:—

> "A united school district shall, for all the purposes of this Act, be deemed to be a school district, and shall throughout this Act be deemed to be substituted for the school districts out of which it is constituted."

Mr. W. E. FORSTER, in reply, said, that the Education Department was informed by its legal advisers that under

Clauses 40, 41, and 43, no new school district could be formed without inquiry, and also that the provisions of Section 12, sub-section 1, did not apply to the formation of a school district. With regard to the words quoted by his noble Friend, they applied to a select district after it had been formed and not before.

RAILWAY AND CANAL TRAFFIC BILL.

(*Mr. Chichester Fortescue, Mr. Childers, Mr. Arthur Peel.*)

[BILL 34.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. CHICHESTER FORTESCUE said it might be convenient that he should make a short statement which would enable the House to understand exactly how he meant to deal with one or two Amendments which had been put on the Paper. He referred specially to two Amendments which came from both sides of the House in regard to Clause 5. One Amendment proposed to admit the concluding words of the clause from "notwithstanding" to "Act" inclusive. He found that these words had created a degree of alarm, he was going to say in the public mind, but he should rather say in the railway mind, much beyond anything he had himself anticipated. His main object in introducing these words was to make sure that the intention of the Joint Committee of last Session with regard to facilities and through rates should be carried into effect—"through rates" being declared "facilities" within the meaning of the Traffic Act. But he had learnt that these words were understood to cover a much larger field than he admitted was necessary for the purpose of the Joint Committee or of this Bill; and, that being the case, he was very willing to omit them from the clause. His desire was to carry faithfully into effect the recommendations of the Joint Committee of last year; and all the more so because that Committee did him the honour to support and accept the Report which, as their Chairman, he had submitted for their approval. The words as they now stood in the clause, he willingly admitted, went beyond any recommendation of the Joint Committee, because they applied to the whole Railway and Canal Traffic Act. He was not going into the argument, but much might be said in favour of the words, for they all knew very well that from the imperfection of the system of Private Bill legislation the general legislation of this country had, he was afraid, in not a few instances, been over-ridden and contradicted by clauses which had been introduced into private Acts of Parliament entirely, so to speak, behind the back of the public. At the same time, it was difficult to pronounce with accuracy as to what the words to which he had referred might cover and include, and that was in itself a reason against their retention in the clause. He should, therefore, be ready to accept the Amendment on the Paper with respect to the omission of the words from the end of the 5th clause. The only other Amendment to which he need refer was an important one put on the Paper by one of the hon. Members for South-West Lancashire (Mr. Cross), who was a leading member of the Joint Committee last year. He (Mr. Fortescue) should be able to accept his proviso on Clause 5, at least in great part, as he understood it. There would be some difficulty about the latter words, but as to the former part of the proviso, there was no difficulty in accepting it with a slight alteration. It might be necessary in Clause 10—the Through Rates Clause—to insert words which would make the meaning perfectly clear, because he never concealed from the House what the intention of the Joint Committee was in that clause—that in certain cases through rates should be compulsory, and that where the Parliamentary powers of charge were found by the Parliamentary Commissioners to be used not *bonâ fide* for the purpose of forwarding traffic, but to send it by another route for the private interest of the Company and against the interest of the public, the Parliamentary powers should not be allowed to stand in the way. The clause might, indeed, act of itself in the way intended, but it was better to be entirely clear on these matters, and a few words might be added to Clause 10 for the purpose of making it clear that the power of ordering through rates, limited as it would be by various provisions in the clause, should not be defeated by mere reference to the Parliamentary powers of charge. In conclusion, he ventured to appeal to both sides of the House not to waste time by a long preliminary discussion. An hon. Member had given Notice of his intention to move an Amendment to the Motion for going into Committee, but as the Bill had not the slightest shadow of a party character, he hoped the feeling of the House would be in favour of going into Committee, and endeavouring to make some effectual progress to-night.

Mr. J. FIELDEN said, that he was unavoidably absent from the debate on the second reading; but if the question which he wished to put before the House had been discussed, he would not have felt it his duty to propose, as he now did, that the House should go into Committee upon the Bill this day six months. The right hon. Gentleman the Member for Northamptonshire (Mr. Hunt) had to a certain extent protested against the Bill, but he had not raised the question of principle. Now what was the principle of the Bill? The principle of this Bill was, that whereas in the past all the rules, regulations, and restrictions imposed upon railways had been contained in Acts of Parliament, it was now proposed by this Bill to abandon this system, and to give power to three Commissioners to make laws for the government of all the railway interests in this country. This was a vital principle which was not touched upon on the second reading, and which ought to be carefully and seriously discussed by the House. The railway interest was a gigantic interest, and he thought it would be a dangerous thing to give to three Commissioners power to deal at will with 500 or 600 millions of property. If such vital and important interests were to be subjected to what would in effect be arbitrary power, he did not see how the liberties of the country were to be preserved. There was an idea abroad that this Commission was to deal with every question in reference to railways. There were people who thought that if this Bill passed every one who arrived at a junction belonging to two Railway Companies and did not find a train to carry him forward might make a complaint to these Commissioners and get redress. But the Bill did not provide for anything of the sort, it simply provided that these three Commissioners should carry out the Act of 1854. What he wanted to know from the President of the Board of Trade was this. Were these Commissioners to lay down arbitrary rules riding over the whole management of railways? Or were they to act strictly within the law? If they were to act within the law, why should not the Court of Common Pleas carry out the provisions just as well, and why had it not carried out the Act of 1854? The reason was that the complaints were frivolous, and not such as ought to be dealt with by such a tribunal, and surely it could not be tolerated that anyone who had some frivolous complaint should insist on a Court of Law interfering to disturb the traffic on railways. What had the Railway Companies done that they were to be dealt with in this arbitrary manner? Had they neglected their duty to the public? Had they not done what was reasonably expected of them, and conferred an immense benefit on the community? He found that there was a prevalent idea in the House that he was a railway director. He was a Proprietor of stock in many railways, but he was not a railway director. And he could say further that before he gave Notice of this Motion he had not had a communication with any railway directors or any railway official. He was acting on the present occasion solely fron considerations of public policy, and he believed—and he hoped that the House would believe him when he said it—that he was not the man to be put forward to do the work of any Board of Railway Directors. It seemed to him that this Bill amounted to a breach of faith, because the proprietors of railways had invested their money on the faith of Acts of Parliament, after knowing that they were liable to have those Acts altered solely and only when Parliament deemed it right in the interest of the public that these Acts should be modified. But they did not invest their money on the understanding or in the belief that this vast property which was held by railway proprietors, should be handed over to three Commissioners appointed by Ministers of the day. The Standing Order of the House, No. 168, not only defined that railway proprietors invested their money under a clause of an Act of Parliament, but by inference it implied that nothing but an Act of Parliament could alter the conditions. His contention was that this Bill gave power to three Commissioners to interfere and to take action with regard to the property of railway proprietors without an Act of Parliament. He wanted to show to the House that railway proprietors had not been negligent of the interest of the public in their management of railways. What had they done? He presumed that the object of the Legislature in allowing these Acts to pass was to give greater facilities to the people to travel, and greater facilities for the transmission of goods. And what had been done? He found from the Report of Captain Tyler, the Government Inspector, made in 1871, that the number of miles of railway opened in 1852 was only 7,336; while in 1871 the number was 15,376, being an increase of 8,040 miles. The capital invested in railways in 1852 was £264,000,000; in 1871 it was £552,000,000 an increase of £288,000,000. The total receipts from all sources in 1852 were £15,700,000; in 1871 they were £48,900,000, an increase of £23,200,000. It was idle to say that Railway Companies did not provide the means of transit for the public. He believed that they had done more than any other interest in the State. Now, what had they received from the public in the way of remuneration for the great convenience they had given them? In 1860, the interest paid on the investments in railway property in the United Kingdom was 4.11 per cent; in 1865 it was 4.65 per cent, or a little over 4½ per cent; and what were the means they had provided for the transit of passengers? In 1850 the number of passengers carried—exclusive of season ticket holders—was 89,000,000, in 1872 it was 375,000,000, being an increase of 286,000,000. While the receipts therefrom had increased 210 per cent, the number of passengers carried had increased 321 per cent, clearly showing that Railway Companies had not pocketed the whole of the increased profits, but had given a fair share—he might almost say more than a fair share—to the public. He next came to a more important point, and that was the loss of life on railways, and he would ask the front Treasury bench, after hearing his figures, whether they really expected that any three Commissioners appointed by the Government could manage the vast bulk of passenger traffic with as much safety as had been done by the independent action of railway directors? According to Captain Tyler's Report in the years 1847, 1848, 1849, one person was killed to every 4,780,000 persons carried; in 1856, 1857, 1858, 1859, one person was killed to 8,700,000 carried; in 1866, 1867, 1868, 1869, 1870, one person was killed to 9,600,000; and in 1871—and when he read the figures he could scarcely believe the facts—one person was killed to every 31,000,000 carried. What, then, was the mis-management of this vast railway interest, which had a capital of between £500,000,000 and £600,000,000? What was there in these figures that warranted the Minister of the day in coming to this House and asking that the Railway Companies might be put under the control of these three gentlemen? It seemed that the House was going into paternal legislation, and that it was thought that vast interests like the London and North-Western Railway, the North-Eastern Railway, the Midland Railway, and the Lancashire and Yorkshire Railways were not capable of taking care of their own concerns. They were to have three Commissioners. What where they to be? He was not a lawyer, but he had never heard any official so loosely described. He was to be "experienced in the law;" but he believed that if all the Judges put their heads together they would not succeed in giving a precise definition of that term. A man sentenced to penal servitude for ten years was quite experienced in the law, and in another ten years he would be still more "experienced." If he was a man who had gone through the Bankruptcy Court several times he would have great experience in the law. He would not say that if this Bill had been drafted by one "learned in the law" it was the most slovenly Bill he had ever read; but he asserted that it was either most slovenly and carelessly drawn, or else it was drawn so as to give an idea that a man was to be appointed who had a knowledge of law, whilst the words of the Act did not convey that meaning. They might have used the usual words, "a barrister of five years' standing." The second was to have experience in railway business. Well, what did that mean? A platelayer had experience in railway business. The man who travelled much on railways had great experience in railway business. Under the terms, then, anybody could be nominated one of these Commissioners. Then it was very curious that although three

Commissioners were to be appointed, and two were described, the qualification of the third was not described at all, and he thought it was probably intended to appoint some one who had no experience either in law or in railway management. But these were the men who were to have the supreme control of the whole of the railways of the kingdom. The nation could never by Act of Parliament lay down rules for the management of railways which would be effective. There must be responsibility in the management of railways as in everything else. But if they prescribed rules they departed from the policy which had made the country great, of giving the widest freedom of action to individuals so long as they kept within the law. Parliament had laid down the principle of heavy damages, to prevent injury to passengers and damage to property which were assessed by juries in our Courts of Law. By a Return presented to the House of Lords on the subject, he found that for the five years, beginning in 1867 and ending in 1871 the total amount of compensation paid by the Railway Companies for loss of life, injuries sustained by passengers, and damage to property, was £2,350,000, being at the rate of £470,000 per annum. Here was a security to the public—a very fair security he should think. He thought that as Railway Companies were mercantile concerns, established in order to secure a good dividend to the shareholders, nothing could be a greater inducement to them not to neglect their duty than the knowledge that they would be liable to a fine of nearly £500,000 a-year. Proposals of the kind which took away from Parliament the power of making laws, and enabled Commissioners or Boards to make orders which should have the force of law, were never introduced in their fully developed form. They were always done in an insidious way. It was said the Commission was only to deal with through rates and with the contracts with the Post Office. But this was the thin end of the wedge, and if he mistook not it would be driven home until the Government would eventually purchase all the railways for the State. As to the Commission having any real practical effect in producing more punctuality, or the more effectual transmission of passengers and parcels from one part of the country, such an expectation would be futile. It was impossible that any three men such as would be appointed could deal properly with this enormous traffic. Having shown what had been the result of railway management in the hands of the Companies and the increase on the profits of their traffic, he wished to remind the House that the result of the management of the Government in the affairs of the country had raised the amount of taxation from £56,000,000 in 1853 to £71,500,000 in 1871; while, on the other hand, the Railway Companies had increased their receipts during that time 100 per cent. After the Government had shown that kind of management in public affairs he did not think Parliament would be justified in handing over the management of the railways to the State. The Bill proposed to appoint a First Commissioner at £3,000, two Commissioners at £2,000 each, aud two Assistant Commissioners at £1,500 each, making £10,000 a-year without clerks, &c. Their duty would be to prevent accidents and insure greater punctuality in the delivery of goods, but if they interfered with the free action of the Railway Companies in the management of their business would they not relieve the Companies from their responsibility in the event of accidents or delay in the transit of goods? The whole thing must end in conferring upon the proposed Board very arbitrary and centralizing power and in placing the whole railway system under the management of the Government. Looking at these gigantic undertakings, and the enormous amount of money invested in them, Parliament ought to be jealous in placing them under the control of the Government, with such an extensive amount of patronage. There was another point to which he wished to refer, and that was the question of rates. The public seemed to think that because Railway Companies gave lower rates to certain individuals than the maximum rates, they ought to give them to everyone. Now, was that reasonable? Every manufacturer and large producer varied his terms according to the amount of his business with different individuals. What the House had a right to insist upon was that Railway Companies should not charge more than a certain amount for the carriage of passengers and goods.

But he submitted that it was an interference with the freedom of action and proper conduct of business to bind them to charge the same rate to everybody who came to them. He considered the question one of national importance. It was the first step towards taking railways under the control of the State; and, believing as he did, that our prosperity as a nation had arisen largely from our freedom to conduct our own affairs in the way we thought best, he felt bound to oppose this Bill, and therefore moved that the House go into Committee on the Bill that day six months.

MR. GOLDNEY, in seconding the Motion, said, he did so because it was a subject which he thought ought to be fully discussed to satisfy the House and the public outside, who felt great alarm with respect to the provisions of the Bill. Either the project meant more than was shadowed forth, or it might be accomplished by much less expensive machinery than that contemplated by the Bill. According to the general scope of the Bill the Commissioners were to do no more than carry out the Railway and Canal Companies Act of 1854, which was simply for the settlement of through rates, but there was another provision which the Companies would not object to, and that was the publication of the rates for goods and cattle traffic as well as passenger traffic. This Bill emanated from the Report of the amalgamation Committee of last year—the Joint Committee appointed to consider the amalgamation of the various large systems of railway. The Committee sat a long time, and examined a great number of witnesses. Amongst others the traffic-manager of the North Western, the Great Western, and the Midland Companies, and a large number of gentlemen engaged in mercantile pursuits in the chief towns on the lines. During the sitting of that Committee, for some purpose or other, they chose to extend the inquiry a little further than the instructions given to them. The main object of the inquiry was whether amalgamation with respect to large Companies was desirable, or whether Parliament should keep up a system of competition, to protect the public. Companies had hitherto been so far controlled in their charges by Parliament that in almost every new Bill, or every extension, the Committee had imposed further restrictions on the amount of fares and rates which the Railway Companies might charge the public. For instance, in the case of the North Western Company, the maximum rate for first-class passengers was 2*d.* per mile, for second-class passengers 1½*d.*, and for third-class passengers 1*d.* He thought it much better that a power like that should still be exercised by Parliament than handed over to a Commission. The Joint Commission said that they considered that competition could not be maintained by legislation, that combination was increasing, that it was impossible to lay down any general rules as to the limits of amalgamation, that equal mileage rates were inexpedient, that a periodical revision of the rates was impracticable, and that fixed rates were undesirable. They further suggested that the Companies should exhibit books at each station showing the rate for goods; and that the administration of the Act of 1854 should be assigned to a special tribunal possessed of a knowledge of railway matters. Now, if that was to be done every one acquainted with railway management and interested in railway property would wish that a tribunal of that kind should be a tribunal of the highest character, composed of the best men they could select for the purpose, with such salaries as would make them rank with the Judges of the land, and should carry with them the same weight in the eyes of the public. There was an amended clause in the Bill, giving an appeal to the Court of Common Pleas in matters of law. Now, of three Commissioners possessing different qualifications there was a great chance that the decisions would depend a great deal on one mind. There ought to be some tribunal to which the decision of the Commissioners could be referred. The Commissioners were not only to determine matters in difference, but were to build up a policy, to create a code on which they should legislate. There were portions of the Bill relating to arbitration which the right hon. Gentleman the President of the Board of Trade had expressed his willingness to modify. And before such a power as this Commission was created it would be wise for the House to consider whether the different railway regulations which now existed ought not to be consolidated or amended. There existed at the present time what he believed a large number of the public were unacquainted with, a great institution called the Railway Clearing-house, which had, under the Act of 1850, acquired many of the powers which, under the Bill, would be vested in the Commissioners. The authorities at the Clearing-house had endeavoured to regulate through rates; they had determined the monetary question as between one Company and another; they could settle disputes as to demurrage mileage rates, and what should be allowed under various circumstances by one Company to another. With such an institution in existence and the powers of the Court of Common Pleas under the Act of 1854, he did not see the necessity for immediate legislation. He had much pleasure in seconding the Motion of his hon. Friend (Mr. Fielden), because he thought the question involved was so large, so much larger than was contemplated by the Bill, that it would be much wiser for the Board of Trade to allow it to rest for a year, and to have a Committee appointed to consider the expediency of accommodating the different matters of railway arrangement in reference to a subject which so nearly affected the comfort and interest of the whole community.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Joshua Fielden,*)—instead thereof.

Sir HENRY SELWIN-IBBETSON said, he was not surprised at the speech which had been made by the hon. Member for the West Riding of Yorkshire (Mr. Fielden), but was surprised to hear that he was not a railway director. The hon. Member seemed to have set up an imaginary case, in order that he might afterwards try to demolish it. He had talked of the powers to be conferred upon the Commissioners as something extraordinarily large, whereas he thought the House would see they were of a very limited nature. The hon. Gentleman had also fallen into another error by speaking of the proposed legislation as a direct violation of the agreement between the Railway Companies and the public, on the ground that the railways were created by Acts of Parliament, and that it was only by an Act of Parliament that their powers could be taken from them. A still further error had been committed by the hon. Gentleman when he spoke of the arbitrary action of the Commissioners; but any one who read the Bill would find that the powers to be vested in the Commissioners were the powers at present existing under Mr. Cardwell's Act of 1854, and which were simply to be transferred in their entirety to the new Board. The hon. Gentleman had also stated that the powers entrusted to the Court of Common Pleas had never been put in force, because the details brought before them were of so minute a character as to be unworthy of consideration; but the public felt that those powers ought to have been put in force, and wanted another tribunal to be created, which would deal more comprehensively and definitely with the question. The hon. Gentleman went on to ask what negligence the Railway Companies had been guilty of to subject them to such treatment at the hands of the Government, and showed, from official Returns, that the proportion of people killed by railway accidents was very small in comparison with the number of people who travelled by rail. But the real point was that many of those accidents might have been avoided, and such as the public said ought not to occur. Captain Tyler, in his Report on the Kirtlebridge accident, last year, said the records of the Board of Trade for many years pointed strongly and continuously to the difficulty that had existed in inducing Companies, especially the large and more powerful ones, to adopt improved systems of working, and principles of construction, even when they were of the most obvious character; and Captain Tyler added that the most extensive railway systems had far from kept pace with their constantly growing business and corresponding requirements. The Railway Companies, much as they had done in the interests of the public, had not fulfilled many of the requirements which would conduce to the safety of travelling, and therefore they were not in a position to come before Parliament and ask, "What have we done that you should find fault with us." The hon. Gentleman went on to say that it was absurd to create Commissioners to do work which such a Company as the London and North-Western Company was surely capable of doing for itself, and taking care of its own interests. But that was the very point. It was because these powerful Companies were far too strong and far too capable of taking care of their own interests that some central authority ought to be created, to see that the safe conduct of the public was properly cared for. If he (Sir Henry Selwin-Ibbetson) wished to throw any obstacles in the way of the passing of the Bill it would simply be because he did not believe that the Government had foreseen all the difficulties of the case. He hoped that the Commission to be created would be a thoroughly efficient Commission, and one in which the public would have confidence, but he was afraid that the salaries proposed to be given to the members of it would rather limit its usefulness. The only blot he found in the Bill was that it hardly went far enough, for he would have liked to have seen the Commissioners entrusted with arbitration powers as to Companies and with many other duties relating to the safe travelling of the public. If the Companies did not themselves see the advantage of having a centralizing power among themselves, it was quite time that the Government provided such a central authority. In Germany there was such a central authority in existence, and its effects were found to be most advantageous. We should do well if we imitated such a system in this country. He hoped the House would support the Government in passing the present Bill, which he believed had long been called for.

MR. ASSHETON CROSS said, he would not have troubled the House at all upon this question if it had not been for the statement of the right hon. Gentleman the President of the Board of Trade. He was glad that the Government had accepted an amendment of which he had given Notice, the object of which was to prevent the measure from being so construed as practically to give the Commission the power of revising the rates of the Railway Companies. By the terms of the Bill as it was originally drawn, power was thus given to the Commissioners, but that fact must certainly have escaped the notice of the right hon. Gentleman when the Bill was drawn, or doubtless he would not have inserted words of so strong a character. When the Joint Committee of last year drew up their Report, after hearing all the evidence, they came to the conclusion that if such a power were given to the Commissioners it would practically amount to confiscation. These were the very words of the Report, and it was only fair to other members of the Committee who were absent from this House to state that the Committee never intended to propose anything like confiscation. Still the words in the Bill were capable of that construction, and now that the matter had been pointed out he was glad to say that the Government had seen the force of that objection, and had withdrawn these words. As regarded the able speech of his hon. Friend the Member for the West Riding of Yorkshire (Mr. Fielden), it reminded him a good deal of the sermons which they occasionally heard on Sundays, in the course of which the clergyman set up a very wicked man simply in order to knock him down again. No doubt if the Commissioners were to have the powers which the hon. Gentleman described, they would be very formidable persons indeed; but any hon. Gentleman would see from the Bill that they were practically to be bound hand and foot within the four corners of the Bill, and were to have nothing like the powers attributed to them by the hon. Gentleman. They would be appointed to carry out the Act of the 17 & 18 Vict., to exercise certain powers and duties now belonging to the Board of Trade, and under certain circumstances they were to be enabled to take arbitrations when Companies had quarrelled among themselves. In the matter of through rates the powers of the Commissioners would certainly be extended, but the House must remember that though it was quite true that the Railway Companies had not paid very large dividends, that was to a certain extent their own fault, for in the origin of railways the object of all railway directors seemed to be to fence round their own property, and instead of encouraging traffic to come along it, to keep all possible traffic away. He believed that if the present policy of the railway directors had been pursued from the commencement railways would have been in a far more prosperous condition than at the present time. The Railway Companies had large powers given to them originally in order to further the convenience of the public, and that fact should always be borne in mind. With regard to the question of through rates, it was clearly put before the Committee of last Session that in some cases the railways diverted the traffic in order to get higher rates, and it was shown that in the case of the South Yorkshire coalfields two Railway Companies agreed to raise the rates for conveying South Yorkshire coals to London to such an extent, in favour of coals from Derbyshire and other places, that practically the South Yorkshire coal ceased to come to London altogether. In such cases Parliament ought to interfere and say, "You are using the powers we give to you for purposes for which they were never intended." As to the composition of the proposed Commission, he hoped the position of the Commission would be raised to such a high standard that people of the same class as the Judges of the land would be upon it. In setting up a new tribunal it would be false economy not to have a good one—if the experiment were to be tried at all it should be well tried. He hoped the Government would take that into consideration before the Bill became law, and would offer such an inducement to men of the highest standing as would enable them to act as Commissioners. The Commission had been spoken of as if it were to interfere with railroad management, and lay down codes of rules, but nothing of the sort was intended. The Commissioners would simply be bound to administer the Act of Parliament, and many railway directors were in favour of having such a tribunal.

Mr. NEWDEGATE said, that he had not spared bringing abuses of the railway system which had occurred in his own neighbourhood before the House, when the occasion required that he should do so; but he had found that the Companies become amenable, but he was not on that account inclined to dispute the desirability of codifying the railway law. He wished, however, to justify what had been asserted by his hon. Friend the Member for the West Riding of Yorkshire (Mr. Fielden) to the effect, as this Bill had been presented to the House, it consisted virtually of a wholesale delegation of the powers of Parliament to the proposed Board of Commissioners. Now, the House was in a very peculiar position. Her Majesty's Government had a large majority in the House, and it had been stated by the Leader of the Opposition that in this present House the position of the Government appeared to him perfectly unassailable. This, he thought, should render the House of Commons careful to act in all these matters upon thoroughly constitutional principles in vindication of its Parliamentary rights. When he read the Bill, and particularly the 5th clause, what did he find? Not only was it proposed that the Commissioners should have all the statutory powers conferred upon the Board of Trade, but all the powers conferred by the Railway and Canal Traffic Act of 1854 upon the Courts and Judges of this country. But the proposals of the Bill did not stop there, for the concluding words of the clause conveyed that the decision of the Commissioners should have full as much effect as the decision of any of the authorities or Courts they would by this supersede; and in addition to all this, if the Bill were to pass, the Commissioners were to have the power which was conveyed by the words—"notwithstanding anything in any special Act" contained. Therefore these Commissioners were to have the full power of all the existing authorities and of the existing Courts, with power also to cancel and to abrogate special Acts of Parliament, wherever and whenever these might interfere with or impede the effect of their decisions. ["No, no!"] These were the concluding words of the 5th clause. [An hon. Member: They are withdrawn.] But he (Mr. Newdegate) was speaking of the Bill as it was introduced, and of the powers that had been sought by the Bill from this House. He was glad to find that the House would grant no such power; that was the object of the few words that he was now venturing to address to the House. It was only fair to take the measure as it had been introduced, as the expression of the intention of the Government; such were the purposes for which the Bill had been introduced. By what had fallen from hon. Members who endeavoured to defend the measure, it was perfectly manifest that this Bill, which proposed to confer these powers upon the

Commissioners referred to, was drawn to enable them, as the representatives of the Government, to vary the rates, and probably to assess the property of the Railway Companies. ["No, no!"] Then all he could say was, that many of the Amendments which had been assented to by the Government were perfectly needless if such as he had stated was not the purport of the Bill. When he read the Bill, he could not help saying to himself that the right hon. Gentleman the Postmaster General, and the right hon. Gentleman the President of the Board of Trade were evidently importing some of their Irish ideas into English legislation. Well, they all knew that legislation was needed for Ireland which was not needed and was not justifiable for England. Why, the Irish people were declaring this every day. Thousands of the Irish people were perpetually lauding the departed Government of His Holiness the Pope as it existed in Rome and in the Pontifical States. Did we not hear of memorials? Did we not hear of lamentations over that departed Government? The House must surely understand that this was the form of Government the Irish people preferred, and desired to see established in Ireland. How were they to escape from that conclusion? No one was more ready to gratify this Irish idea than the right hon. Gentleman the President of the Board of Trade and the right hon. Gentleman the Postmaster General. What he hoped was that the House would decide that these right hon. Gentlemen should limit the operation of these Irish ideas to Ireland, and should not import this arbitrary system into the legislation of England. When he looked at this Bill — and he was speaking of it as it was introduced, and not as he hoped it would be when amended—and speaking of the two right hon. Gentlemen, he remembered that the Postmaster General had managed the purchase of the telegraphs for the Government; and he believed that the right hon. Gentleman made a very good bargain in a pecuniary sense; but the right hon. Gentleman the President of the Board of Trade, if he had his will, as expressed in the original form of the Bill, would have obtained the control of the railways without purchase. The telegraphs had been purchased and paid for. No doubt it was a very economical manner of acquiring property to take it without paying for it. But it reminded him of the old story of the two makers of birch brooms. They were engaged in comparing the prices at which they could sell them, and one expressed himself very much surprised at the cheapness of the other's. They then went through the items, how much was the cost of labour and so on, in making these brooms; but at last one asked the other where he got the materials. "Oh!" was the reply, "I stole them." It appeared to him (Mr. Newdegate), therefore, that if the intention of the Bill were carried out, by which the House would obtain these Commissioners who were to be the delegates of the Government, the cheapness of the transaction would consist in possessing themselves virtually of railway property not by purchase but by seizure. He could only say, then, that he trusted the House would not only amend the Bill, as hon. Members had already given Notice, but if they passed the Bill that they would convert it into a codification of railway law, and not allow it to pass as the delegation of Parliamentary functions to a Government Commission.

MR. G. BENTINCK thought it exceedingly proper that the Government should deal with the subjects contained in the Bill, and said his only objection to the scheme was that it did not go much further. In fact, the Government were neglecting their duty in not taking up the question whether the lives of travellers were to be constantly sacrificed by railway mismanagement. He asserted without fear of contradiction that a large portion of the railway accidents which annually caused loss of life might be prevented by Government interference. On many occasions he had endeavoured to press this matter upon the attention of the Government, and if they still disregarded it in spite of the fearful warnings they had had, they must be held responsible for the consequences of the accidents which occurred in future. He trusted, however, that the right hon. Gentleman would see the necessity for taking these precautions, which were indispensable to prevent such accidents. Those who were opposed to Government interference argued that it would diminish the responsibility of the Railway Companies, but he contended that would not be the case, because if a Bill was passed requiring the Companies to make certain regulations for carrying on their traffic, the necessity of adhering to those regulations would tend to increase rather than diminish their responsibility.

MR. DENISON said, his hon. Friend (Mr. Bentinck) had thrown down a challenge to railway directors in the House, for he implied that they could not in future oppose any suggested legislation without bringing upon themselves a considerable amount of odium. He happened to be a railway director, and directors represented the interests of large bodies of proprietors, in whose name they must speak more or less; but in any observations he might now address to the House, he should not speak on behalf of any Railway Company or association, and the criticism he made must be judged on its own merits as expressing his individual opinion. He knew nothing of the intention of his hon. Colleague until he saw his Amendment on the Paper, and but for the announcement of the President of the Board of Trade he should have supported the Amendment. In declining to oppose the second reading, the Railway Companies had in a certain sense given a negative sanction to legislation in the direction suggested by the Committee of last year—that was to say, they were willing that a tribunal should be created for the better carrying out Mr. Cardwell's Act, and some other purposes enumerated in the Joint Committee's Report; but he did not admit, because the Railway Companies had neglected to oppose the second reading, that therefore they were to accept the tribunal pure and simple as proposed by the President of the Board of Trade. The proposed jurisdiction of the tribunal was a very serious matter for the Railway Companies, and the right hon. Gentleman having agreed to drop the words in the 5th clause overriding other Acts of Parliament, the discussion turned upon the powers, functions, duties, and authority of the new tribunal. It would not only absorb the powers of the Board of Trade—and, in some cases, of arbitrators—but it would be a judicial authority, which would form its own rules and mode of procedure; and, as provided in the 22nd clause, every decision and order of the Commissioners would be final. It was not to be reasonably supposed that the Railway Companies would submit their interests to any body of gentlemen, however distinguished, without appeal. The more able the members of the tribunal were, the more despotic it would be; and the effect of this scheme would be to establish a sort of Railway Star Chamber, capable of interpreting its own jurisdiction on the most elastic principles. What he wished to do now was to put in a *caveat* against its being imagined that the Railway Companies could accept such a tribunal without important modification of its powers. After the statement of the President of the Board of Trade, he believed a division would not be taken on the Amendment; but he reserved to himself liberty to oppose the powers of the new tribunal in Committee.

MR. HENLEY said, he hardly wondered at the discussion which had taken place. He wished the Government had seen fit to commit the Bill *pro formâ*, in order to insert the long string of Amendments they proposed. When he looked at the Bill as introduced, it seemed to have in it what the late Sir John Jervis, then Attorney General, would have called "a great deal of white brandy." At first he did not think much of it, but on examination he found it gave power to act in spite of Acts of Parliament. What would be the use of an appeal to the President of the Board of Trade upon a mere question of law when the Commissioners would have power to repeal laws? He had no concern in railways, but he was of opinion that this Bill must have shaken public faith in property. No man could have read the Bill, and seen how it was proposed to deal with the vast amount of property which had been expended to the enormous benefit of the country, without receiving a considerable shock. If he might venture to say so, the mode of proceeding adopted by the Government was contrary to common sense. The principle advocated 19 years ago, of bringing the network of railways over the country into one harmonious whole, was a very proper one, and in extending it anyone would have thought that the natural idea would have been to create a tribunal in which the country would have had at least as much confidence as they had in the authority to be abolished. Would any hon. Member of the Government assert that owners of property could have the same confidence in three persons, removable at the pleasure of the Government, as in the Judges of the land? One of these gentlemen was to be "a person experienced in the law." That was a new, curious, and dubious phrase. He had heard of persons "learned in the law," and of Revising Barristers of so many years standing, but he had never seen this description before. The next was to be a gentleman "experienced in railway matters." It was difficult to understand that definition. A man might be experienced in railways by riding on them, by making them, or by getting them up; and all these things, apart from experience of management, might come within this blessed definition. As to the third gentleman, nothing was said of him; he was to be "a Christian at large." The right hon. Gentleman had amended one strange provision of the Bill, which would have empowered these three gentlemen to send for anybody's account books without any limit. By the clause as amended they would only have power to send for those documents which were relevant to the matters in hand; and he hoped that in like manner they would be restrained from going into anybody's premises, or otherwise one of these gentlemen might walk into the Queen's bedchamber, or any other place in the kingdom, without anybody being able to find fault. The Bill was somewhat loosely drawn, and would tend to shake people's faith in Parliament in regard to their treatment of property. A great deal had been said at public meetings and in the newspapers lately about the State purchasing the railways, and no doubt it would be very convenient to set up a Commission to depreciate this property before the Government bought it. It was important that due provision should be made for the proper management of railways; but he hoped that as the Bill passed through Committee various points would receive their needful adjustment, that justice would be done to those who had invested their money in railways, and that nothing would be done inconsistent with the due recognition of the great benefit railways had conferred on the country.

MR. CHILDERS said, he hoped that, after he had given some explanation of the object of this measure, the House would go into Committee upon it at once. The hon. Member for the West Riding of Yorkshire (Mr. Fielden), who moved this Amendment, appeared to think that the Government proposed to take the management of the railways through the means of a public Department. [Mr. FIELDEN: I think I said that this was the thin end of the wedge.] Some hon. Members who followed went a great deal further. One hon. Member said that, in the 5th clause, the Government proposed to give the Commissioners power to alter rates and fares, and that the whole idea was either directly or indirectly to bring about the purchase of railways by the Government, and their entire management by a Public Department. The Joint Committee had made no recommendation in favour of the purchase of railways by the State, and the very object of this Bill, in his opinion, was to render anything of the kind out of the question, and at the same time to secure to the public the securities which they required. The Bill proposed to transfer from the Court of Common Pleas the jurisdiction conferred upon that Court by the Act of 1854, and thus carried out the advice of Lord Campbell, who said that the Judges, and himself amongst them, felt themselves incompetent to decide the matters imposed upon them under that Act, being wholly unacquainted with railway matters. The power to enforce through rates was really in accordance with the principles of the Act of 1854, and was the main Amendment in that Act which the Committee thought most desirable in the public interest. The Bill was intended to carry out the views of the Committee, and he trusted the Amendment of the hon. Member would not be pressed.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Definitions).

Amendment proposed, in page 1, line 21, after the word "station," to insert the words "siding, wharf, or dock."—(*Mr. Chichester Fortescue.*)

Mr. LEEMAN said, that the statements made by the President of the Board of Trade and the Chancellor of the Duchy of Lancaster led to the conclusion that this Bill was limited to one object. He (Mr. Leeman) wished to have a definition of the meaning of the word "Docks." The term was a very general one, and there was no knowing where such interest was to begin, and where it was to end. Various Docks held rights subject to various Acts of Parliament, such as the Docks at Sunderland and at Hull. Some of these Docks were largely mixed up with other undertakings, and he submitted that a clear understanding should be arrived at upon the question.

Mr. CHILDERS said, that only Docks belonging to Railway Companies would come within the scope of the Amendment. These Docks had generally come into the possession of Railway Companies since 1854; and, in some cases, they formed an integral part of their system. The retention of the word was therefore necessary.

Mr. DENISON felt sure that had the Amendment appeared in the original draft of the Bill, the Railway Companies concerned would have opposed it.

Question put, "That those words be there inserted."

The Committee *divided:* — Ayes 83; Noes 48: Majority 35.

Clause, as amended, *added* to the Bill.

Clause 4 (Appointment of Railway Commissioners).

Mr. MONK proposed, in line 24, to leave out "of experience in the law," and insert "a barrister of at least 14 years' standing."

The SOLICITOR GENERAL suggested that if the words "barrister-at-law" were inserted, they should leave the matter there without any further qualification. Perhaps, the Committee were not aware there was no limitation with respect to the appointment of Judges in the Court of Common Pleas, who might be appointed the day after they had been called to the Bar. All that the law required was that they should be barristers, and the system had never led to any difficulty.

Mr. GREGORY said, he hoped the Amendment would not be agreed to. The object of the clause as it stood was to enable the Government not necessarily to appoint a barrister; but if they thought proper a gentleman belonging to any branch of the profession, which he thought was a very liberal act on the part of the Government.

Mr. CHICHESTER FORTESCUE said, that, as a matter of fact, the first gentleman who would be appointed under the words of the clause would be a barrister-at-law of more than 14 years' standing; but his own feeling was, undoubtedly, that which had been expressed by the hon. Member who had just sat down. He thought it quite possible, although it might not be so in the first instance, that some very suitable gentleman might be found and appointed who was not a barrister, but a solicitor.

Mr. LEEMAN was very glad to hear the announcement made by the right hon. Gentleman. It was very desirable that it should be left open to the Government to select a gentleman who was not a barrister, but a member of any branch of the profession. Representing, as he did, the railway interest to a great extent in that House, it was due to them to say that they most cordially concurred in what had been said in the earlier part of the evening, when Government were urged to take care that the gentlemen forming this Commission should be men of the highest standing—certainly not inferior to that of a Puisne Judge, with at least an equal salary. He trusted the Chancellor of the Exchequer would not be permitted in the slightest degree to influence the Government on the question of salary. The gentlemen appointed should be men of the highest possible position with corresponding emolument.

Mr. MONK said, that when he first read the Bill he was of opinion that the phrase, "gentlemen experienced in the law," was a very curious one. However, he now entertained very little doubt that the Government would select a person who would have the confidence both of that House and of the country. At the same time, he objected to the selection being from the lower branch of the profession to fill so important an office as that of Chief Judge; because a gentleman, however distinguished he might have been as an attorney or solicitor, would be placed in a false position, if called upon to preside, if he had previously been a member of a firm extensively engaged in railway business.

MR. GILPIN hoped the Government would keep the words as they were.

SIR HENRY SELWIN-IBBETSON believed that unless men of first-rate powers and position were appointed as Commissioners in the first instance, these important duties would, sooner or later, fall into the hands of men who would not command the confidence of the country.

MR. CHICHESTER FORTESCUE said, he would not pledge himself that the man of the highest rank should be the legal member. The salaries of the three Commissioners would be equal—£3,000 a-year each; and he believed men of high capacity and standing might be secured to perform the duties. No doubt the duties would be of great importance, but not of so embarrassing a kind as gentlemen in public life were often exposed to in this country. The Chancellor of the Exchequer was a warm supporter of the Bill, and very readily assented to salaries of that amount, which he (Mr. C. Fortescue) thought sufficient for the purpose.

MR. ASSHETON CROSS said, the right hon. Gentleman might secure the services of these gentlemen who would command the confidence of the country; but that was not the question they had now to determine. The question was whether as a rule they could command the services of the best men for the salary proposed. His own Motion was that the salary ought to be placed higher, so as to put the Commissioners on the same footing as the Puisne Judges.

MR. GREGORY thought that the Commissioners should be co-ordinate in jurisdiction and equal in salary.

MR. CHICHESTER FORTESCUE said, that by the Bill they were made so.

MR. W. H. SMITH wished to know, as it did not appear from the Bill, whether the Commissioners would be eligible to sit in Parliament.

MR. CHICHESTER FORTESCUE said, the Commissioners could not sit in Parliament without a special authorization, which the Bill did not contain.

MR. W. H. SMITH said, he believed that no gentleman who had the confidence of the public and great experience of railway affairs would be induced to accept the office of Commissioner at a salary of £3,000. It was a fact known to many that gentlemen who really had experience and knowledge, and whose authority would be accepted by the railway world and the public, had at present the command of higher salaries, with much greater expectations.

MR. GOLDNEY suggested that the Commissioners should take rank after Her Majesty's Judges.

MR. DENISON said, he would like to know if the powers of the Inspecting Department of the Board of Trade would still remain.

MR. CHICHESTER FORTESCUE said, the Department of the Board of Trade had charge of the general safety of the public, which was not dealt with at all by the Joint Committee of last year, nor by this Bill; and in relation to this subject the Board of Trade would remain entirely independent of the Commission. The Commissioners would not be in the position of Inspectors.

MR. CHARLEY proposed to substitute "a member of the legal profession" for "a person experienced in the law" The words "experienced in the law" had never been recognized in any Act of Parliament before.

THE SOLICITOR GENERAL thought that the words were the best that could be used to describe a lawyer. If they inserted the words, "member of the legal profession," that would exclude men who had perhaps only left the Bar and taken their names off the books a week before.

Amendment, by leave, *withdrawn.*

MR. CHICHESTER FORTESCUE moved to add, after line 29, the Proviso—

> "That it shall be lawful for the Lord Chancellor, if he think fit, to remove for inability or misbehaviour any Commissioner appointed in pursuance of this Act."

The Commissioners would be independent of Parliament in so far as they would be removable only by the Lord Chancellor on the grounds stated in this Proviso. They would be placed, in short, on the same footing as the County Court Judges, the Proviso being taken from the County Court Judges Act.

MR. RATHBONE hoped that if the office of the Commissioners was found to be useless, and it was abolished, there would be no necessity for compensation.

MR. CHILDERS said, the appointments were made for five years, and if at the end of that time the office was abolished, no compensation would be given.

Clause, as amended, *agreed to.*

Clause, as amended, was *ordered* to stand part of the Bill.

Clauses 5 and 6 *agreed to.*

Clause 7 (Differences between railway and canal companies to be referred to Commissioners).

MR. CHICHESTER FORTESCUE moved as an Amendment the addition of a Proviso—

> "That the power of compelling a reference to the Commissioners in this section contained shall not apply to any case in which any person has in any general or special Act been designated as arbitrator by his name or by the name of his office, or in which, a standing arbitrator having been appointed under any general or special Act, the Commissioners are of opinion that the difference in question may more conveniently be referred to him."

MR. LEEMAN wished to know why the latter part of the Proviso had been introduced. Where would be the power of the Commissioners if this Amendment were passed?

MR. CHICHESTER FORTESCUE explained that he had inserted the words because there were certain cases in which Railway Companies, being in close relations with one another for working purposes, had appointed a standing arbitrator to settle numerous small points in dispute between them. It had been represented to him that it would be a mistake to compel a reference in all such cases to the Commissioners.

MR. MONK thought that the Proviso was unnecessary, and that it would be very unsatisfactory to the public.

MR. CHICHESTER FORTESCUE said, it would only apply in those cases where there were close working arrangements between two or more Companies. It would in no way affect the settlement of points in dispute between the Companies and the public.

Proviso *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Clauses 8 and 9 *agreed to.*

Clause 10 (Explanation of 17 & 18 *Vict.* c. 31. s. 2. as to through traffic).

MR. RATHBONE moved, in page 5, line 4, after "that," to insert—

> "The provisions of the said section for prohibiting undue or unreasonable preference, advantage, prejudice, or disadvantage as between different persons, companies, or descriptions of traffic, shall be held to extend to any undue or unreasonable preference, advantage, prejudice, or disadvantage between different towns or localities."

He said that Railway Companies had no more right to give a preference to towns or localities than to an individual.

MR. LEEMAN said, that the Amendment would shut up all the ports on the Lancashire coast except Liverpool. Such a provision would be utterly unworkable. An express train running between one town and a distant town might be made to stop at every intermediate town, lest there might be an inequality between towns. It would stop the traffic of half the coast towns in the country.

MR. W. H. SMITH hoped that the hon. Member for Liverpool (Mr. Rathbone) would withdraw his Amendment. Nothing more absurd and impracticable was ever proposed.

MR. CHILDERS said, the principle of equal mileage rates was carefully considered by the Committee last year, and was unanimously concluded to be impracticable. The law secured equal treatment to traders in the same town, but rates as between one town and another were inextricably bound up with railway, sea, canal, or other competition, the rate for coal between London and the North of England, for example, being governed be the sea competition. The complaints urged by certain localities and traders before the Committee would be altogether, or nearly altogether, met by the clause as to through rates, and a rigid rule of this kind would be impracticable.

MR. RATHBONE contended that the words—"undue or unreasonable preference" in his Amendment would be construed by the Commissioners as covering the questions of amount of traffic, cost of line, and competition.

MR. ASSHETON CROSS pointed out that under an equal mileage rate the colliery nearest Liverpool would be able to sell its coal at a lower price than one a few miles more distant, and the manufacturing town nearest Liverpool would have an advantage as regarded cotton. Cotton goods were now sent to Fleetwood at a cheap rate; was this an undue preference as against Liverpool? A

Company ought not to be allowed to fix a higher rate in one locality as compensation for a low rate in another where greater competition existed; but he doubted whether the Amendment would prevent this.

Amendment *negatived.*

MR. LANCASTER said, that other parties might be interested in procuring a through rate as well as a Railway Company; but the clause only enabled the Commissioners to act in this matter at the request of any Railway Company. He, therefore, moved the addition of words enabling "any person interested" to apply for a through rate,

Amendment proposed, in page 5, line 8, after the words "such Company," to insert the words "or of any person interested."—(*Mr. Lancaster.*)

MR. CHILDERS said, he objected on the part of the Government, on the ground that it would throw such an enormous mass of business on the Commissioners that they could not undertake to discharge it. It was never intended to make this a general traffic Bill. For all practical purposes it would be sufficient to give the the Companies power to enforce through rates on each other.

MR. WOODS said, that a colliery company or a large mercantile firm might sometimes have quite as much traffic to send over a given line as an adjoining Railway Company. He did not think that a complaint of the want of a through rate so made would be at all frivolous, and it was a right which ought to be conferred upon persons interested.

MR. ASSHETON CROSS said, the hon. Member for Liverpool (Mr. Rathbone) would by-and-bye propose an addition to the clause giving a *locus standi* before the Commissioners to Corporations or Chambers of Commerce of any town or locality, or to any 10 inhabitant traders, in case the clause were contravened.

MR. GREGORY thought there ought to be some provision in favour of the public, and that the appeal should not be confined to Railway Companies only.

MR. CHICHESTER FORTESCUE said, the supposition in the clause was that some Railway Company would be found willing to take the traffic and carry it as far as it could. If all the railways were in the hands of one body there would be no difficulty. But the continuous lines of railway might be in the hands of various proprietors. The Bill provided that when the traffic had been carried as far as the Company could carry it, it should not be stopped at that point. He could not agree to the Amendment.

MR. STAPLETON suggested that the Company which received the traffic in the first instance should not only forward it, but use its Parliamentary powers to get it carried on by other Companies.

Question put, "That those words be there inserted."

The Committee *divided:*—Ayes 40; Noes 109: Majority 69.

MR. ASSHETON CROSS moved, in page 5, line 31, after "accordingly," to insert—

"Provided always, That in no case shall it be lawful for the Commissioners to compel any Company to accept lower rates than the rates which such Company may for the time being legally be charging for like traffic on any other line of communication between the same points, or if there be no such other line of communication for like traffic, under like circumstances or as near thereto as may be on the Company's line in that immediate district."

MR. CHICHESTER FORTESCUE having assented to the alteration,

Amendment *agreed to.*

MR. CHICHESTER FORTESCUE moved to insert the following words after line 37—

"(7.) The Commissioners in apportioning the through rate shall take into consideration all the circumstances of the case, including any special expense incurred in respect of the construction, maintenance, or working of the route, or any part of the route, as well as any special charges which any Company may have been entitled to make in respect thereof."

MR. PIM said, he thought that Railway Companies that owned or worked steam vessels should be bound to afford facilities to the owners of other steam vessels for the transmission of traffic on their systems of railways and canals. He begged, therefore, to move, at the end of line 42, the insertion of a clause which would secure that object.

"Every Railway or Canal Company so long as they use, maintain, or work, or are party to an arrangement for using, maintaining, or working steam vessels for the purpose of carrying on a communication between any towns or ports, shall afford due facilities on all parts of their systems of Railway or Canal to other owners of steam vessels for the transmission of traffic of all classes which may be conveyed or intended to be conveyed in the steam vessels belonging to such owners, at the same throughout rate of charge as may at the time be charged for similar classes of traffic conveyed by the Railway or Canal Company on their lines of Railway or Canal, and in steam vessels used, maintained, or worked by them; Provided such other owners of steam vessels conveying the traffic agree to receive out of the through rate of charge (after payment in the first instance to each party entitled to the same, the allowance due for terminals or cartage, or other payments made on account of the traffic), such part as may be in proportion to the distance which the traffic is conveyed in such steam vessels as compared with the distance it is conveyed by Railway or Canal."

Mr. PEASE opposed the Amendment on the ground that it would act most unfairly to the Railway or Canal Company who might own the vessels.

Mr. CHICHESTER FORTESCUE had considerable sympathy with the object of his hon. Friend, so far as he understood it; but the words of the Amendment, as it stood, could not be incorporated in the Bill; and, for the sake of further consideration, he would suggest to his hon. Friend to bring up similar words on a future stage of the Bill.

Amendment, by leave, *withdrawn.*

Mr. MONK moved, in line 42, to add the words—

> "And all the provisions of this section shall apply to every Canal, whether such Canal communicates with the Canal of the receiving, forwarding, or delivering Company, directly or indirectly, by means of any river or estuary, or of the sea, and so far as they are applicable shall extend to all Railway and Canal Companies, whether carriers or receivers of tolls only."

Mr. W. S. STANHOPE thought there was much weight in the suggestion, and he hoped it would receive the sanction of the President of the Board of Trade.

Mr. CHILDERS inquired how there could be a through rate when part of the route was the open sea, open to all the world? The very idea of a rate implied that there was some owner of the road or water-way who could impose it alike on all who used that road or water-way. The proposal was quite foreign to the scope of the Bill.

Mr. MONK replied that no rates would be required if an arm of the sea were used.

Amendment *negatived.*

Mr. RATHBONE proposed to add, at the end of the clause—

> "A complaint of a contravention of the said enactment, or of this section, with respect to any town or locality, may be made to the commissioners by a corporation or chamber of commerce thereof, or of any place included therein, or by not less than ten persons being inhabitant traders of, or whose business includes the forwarding of goods to such town or locality, without proof that the complainants or any of them are personally aggrieved by the contravention."

Mr. LAING said, he thought that they should adhere to the scope of the Bill, and not add such an Amendment.

Sir HENRY SELWIN-IBBETSON suggested that parties aggrieved only should be allowed to complain.

Mr. ASSHETON CROSS observed that Mr. Cardwell's Act gave individuals the right to complain.

Mr. CHICHESTER FORTESCUE said, it was an important question whether any public body should have any *locus standi* before the Commission, but he put it to the hon. Member whether the question could properly be raised on that part of the Bill, as he now raised it.

Mr. GOLDNEY observed that the hon. Member for Liverpool (Mr. Rathbone) had all he wanted under his Amendment given to him by the Act of 1854, which gave to any person complaining of want of reasonable facilities power to apply to the Court of Common Pleas, whose powers were transferred by this measure to three Commissioners.

Mr. GREGORY said, he doubted whether the Act of 1854 secured the object desired. He suggested that a large trader should have power to apply to the forwarding Company to put the Commissioners in motion, and in case of its neglect or refusal should himself have a right of doing so.

Mr. CHILDERS said, he could not concur in this suggestion. If it was the interest of the forwarding Company to apply to the Commissioners, they would do so without being asked, and the Joint Committee had declined to recommend that every trader should have the power of applying. Such a power might be given hereafter if it were found that the public interest demanded it, which he believed would not be the case.

Mr. ELLIOTT said, he supplied about 120,000 tons of coal annually to the Imperial Gas Company of London. As the clause stood he should have to apply to the North Eastern Railway Company to apply to the Commissioners for through rates with the Great Northern Company, the former having harbours and ports of their own, to which it was their interest to take the coal. He ought not to be deprived of the right of appealing to the Commissioners if the

North Eastern Company refused to put the Commissioners in motion.

MR. RATHBONE said, he would withdraw his Amendment, but he reserved to himself the right to bring it up hereafter as a new clause.

Amendment, by leave, *withdrawn*.

MR. CHICHESTER FORTESCUE said, it now became his duty to move the addition of words of which he had given Notice in the beginning of the evening. His object in moving them was that there might be no mistake in the minds of hon. Members or of the tribunal as to the meaning of Clause 10. In certain cases the ordering of a through rate by the Commissioners might be rendered absolutely impossible, and the whole clause might become illusory, if a Railway Company were to charge its maximum rates, and decline to charge anything less. In order to make the meaning of the clause perfectly clear on this point, he proposed to add the following words:—

> "Nothing in any special Act contained shall be construed so as to prevent the Commissioners from ordering and apportioning a through rate under this section."

These words would add nothing to the intention of the clause; they could not possibly go beyond its scope, and their only effect would be to make the meaning of the Legislature absolutely clear.

MR. DENISON said, this Amendment seemed to be in substance a revival of the words which the right hon. Gentleman had withdrawn upon Clause 5. They were words of the deepest import to Railway Companies, and he should therefore move to report progress in order that those Companies might have time to consider them.

MR. CHICHESTER FORTESCUE reminded the Committee that in withdrawing the previous Amendment he had stated distinctly that it would be necessary to make Clause 10 effective in this way. The clause could have no other meaning than that now assigned to it. Any other interpretation would assume nothing less than an act of hypocrisy on the part of the Joint Committee.

MR. LEEMAN appealed to the right hon. Gentleman to say whether he thought it was reasonable towards the Railway Companies that he should now press an Amendment of which the House heard for the first time. The construction to be put upon these words might be of the utmost possible consequence to Railway Companies, and all he would ask of the right hon. Gentleman was that he should postpone his Amendment, which, so far as he understood it, went to revive the objectionable words which they were all so anxious to see struck out of the Bill.

COLONEL WILSON-PATTEN, said that as several hon. Friends around him had great doubts as to what the effect of the proposed words might be he would suggest that the Amendment should be postponed till the bringing up of the Report, though he did not put quite the same construction upon the words as was put upon them by the hon. Member.

MR. ASSHETON CROSS said, he was rather inclined to take the view of the right hon. Gentleman (Colonel Wilson Patten) that these words had not the character which some hon. Members had given to them, but still he would suggest that they should be brought up on the Report.

MR. LAING remarked that it was absolutely necessary that these words should be postponed, because it was impossible to say otherwise whether they were consistent or not with the important Proviso which had been adopted on the Motion of the hon. Member for South-West Lancashire (Mr Cross.)

MR. CHICHESTER FORTESCUE said, he thought the Committee would acknowledge that he had been perfectly frank with them on this matter. He wished to point out to the gentlemen who represented the railway interests, that if the clause meant anything within its carefully defined limits it must have the meaning he assigned to it in the addition he proposed. If it meant that a Railway Company might, by pointing to its maximum, avoid the orders of the Commissioners, the whole clause would be a farce. The Amendment had no application, except to the through rates as defined and limited by the clause. At the same time he was willing to let the clause pass as it was, but on the distinct understanding that he would bring up the words again on the Report, or re-commit the Bill for the purpose of inserting them, and that the words meant nothing more than he had described. He believed that all parties were anxious to get through Committee that evening.

Mr. LEEMAN said, that all he had risen for the purpose of doing was to express a desire, on the part of those who were largely interested in this question, that they should have an opportunity of considering these words, and he did not think the right hon. Gentleman had any right to complain of such a request being made.

Clause, as amended, *ordered* to stand part of the Bill.

Clause 11 (Publication of rates).

Mr. STEVENSON moved, page 6, line 5, to insert after the word "contract" the following words, "and stating the distance from that station or wharf of every station, wharf, siding, or place to which any such rate is charged;" the object being to show the distance for which the rates were charged.

Amendment *agreed to.*

Mr. W. P. PRICE moved, page 6, line 6, to leave out from "every such book" to "direct" in line 14, inclusive, on the ground of the vast trouble that would be involved in the requirement without any advantage to the public. The object of the clause seemed to be that the public should be informed how much of the total rate they paid for carriage of goods along the railway, and how much by way of terminal charge. In the Midland Company alone the provision would involve a great deal of trouble, and the Returns could not be prepared before alteration in the rates had become necessary, so that the preparation of them would be simply impossible. But in the great majority of cases there was no terminal charge at all. This terminal charge was given under different Acts of Parliament, and the Companies were allowed to charge in addition to the toll a reasonable sum for loading, stopping, sheltering, and unloading at the terminus. There was no reason why the charge should be dissected as was now proposed.

Mr. LANCASTER could safely say that there had been more dispute about this terminal charge than anything else. The question arose in almost every negotiation with a Railway Company, and if there was anything vague in it, the Company always said, "Oh! that is for terminus." If this portion of the clause was withdrawn, the public would be left without any remedy in one of the most important matters complained of.

Mr. MONK said, it was one of the recommendations of the Committee of last year, to the effect that Companies should be compelled to exhibit at every station the rates they charged for goods, distinguishing the mileage and terminal charges, and stating the special rates and contracts.

Mr. LIDDELL also opposed the Amendment. There was a large sum charged in the shape of terminal charges but nobody knew for what. In the case of coal and iron no covering was required, and what people who sent those goods by railway desired was to be told what they were paying for. There could, he thought be no fairer demand.

Mr. PEASE said, that even if the proposal of the hon. Member for Gloucester (Mr. Price) were agreed to, every person who applied to a Railway Company to distinguish the terminal charges from the carriage rates in the amount charged against him would be furnished with the information under the provisions of an existing Act of Parliament.

Mr. ASSHETON CROSS said, the Companies were bound to supply the information when it was asked for, and he saw no reason why they should not supply it beforehand. All that was wanted was that the book of rates and terminal charges kept by the station clerk for his own guidance should be open to the inspection of the public where they wished it.

Mr. WOOD hoped the Government would adhere to the clause as it stood, and insist upon the Companies supplying the information asked for.

Mr. CHICHESTER FORTESCUE said, this was a point of very considerable difficulty, to which the Joint Committee of last year gave a great deal of attention, and which he had endeavoured to understand as well as he could. He was bound to say the words of the clause, as they stood, would impose upon Railway Companies a vast amount of trouble and labour, which in a great many cases would be of no use to the public. He quite agreed as to the importance of having rates of all kinds, including special rates, in the books kept at each station for the use of the station-master; and there could be no difficulty in Companies giving to the public access to that information; but information as to terminals was not contained in the books which lay at the respective stations, and in the great majority of cases there was no necessity for distinguishing between terminals and rates. The objection to this part of the clause was that what ought to be the exception was made the rule; he would therefore propose a *tertium quid* between the two views, which, he thought, would meet the necessities of the public without requiring Companies to go to vast trouble without any corresponding public advantage. He would leave out the words "Every such book shall" and say—

> "The Commissioners may from time to time on the application of any person interested make orders with respect to any particular description of traffic, requiring a railway or canal company to distinguish, &c."

That Amendment would do all the public required.

MR. MUNTZ approved the change proposed by the right hon. Gentleman the President of the Board of Trade.

MR. LANCASTER thought a scale ought to be published, as was done in France and Germany.

Amendment (*Mr. Price*), by leave, *withdrawn.*

MR. FLETCHER thought this was a subject for more careful consideration than could now be given to it, and on this ground he moved to report progress.

MR. CHICHESTER FORTESCUE said there could be no reason for not getting through the Bill to-night, as this was not a vital question by any means.

Motion, by leave, *withdrawn.*

Amendment (*Mr. Chichester Fortescue*) proposed, and *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

MR. STEVENSON moved to insert after "direct," in line 14, "the rates and tolls charged for the carriage of traffic from any siding, wharf, or place, not being a station, shall be in like manner shown in a book or books to be kept at the nearest station to such siding, wharf, or place."

MR. PEASE said, that this proposal would involve an immense addition to the work of the Companies, and consequently to the charges on the public.

Amendment *negatived.*

Clause 12 (Arrangements between railway and canal companies).

MR. LANCASTER said, that in his neighbourhood, where they had only a canal, the charge for conveying cotton was 5s. per ton. They had now two railways and a canal, but the canal was worked by one of the Railway Companies, and the result was that the charge for cotton was 7s. 3d. per ton. He moved to insert after the word "managing" the words "or connected with or interested in the management of."

MR. CHICHESTER FORTESCUE said that the hon. Member's object was good, but there was a vagueness in the words, "or connected with." He had no objection to insert the words "interested in the management of."

Clause, as amended, *agreed to.*

Clauses 13 and 14 *agreed to.*

Clauses 15 and 16 *struck out.*

Clause 17 *agreed to.*

Clause 18 (Salary of Commissioners) and Clause 19 (Appointment of Officers) *postponed.*

Clause 20 (Quorum of Commissioners).

MR. ASSHETON CROSS approved the first part of the clause, which required appeals from the order of one Commissioner to be heard by all the Commissioners, but objected to enable one Commissioner to exercise any power vested in them by the Act.

MR. GREGORY, in order to give time for further consideration of the question, moved that the Chairman report progress.

MR. CHICHESTER FORTESCUE hoped the Bill would be got through to-night. It was unnecessary to require the presence of all or even of two of the Commissioners in every case, for one Commissioner would be able to do some of the business, subject to a re-hearing, if desired, by the whole body.

SIR HENRY SELWIN-IBBETSON agreed with the right hon. Gentleman that one Commissioner would be sufficient in many cases, there being the safeguard of an appeal to all the Commissioners.

MR. DENISON feared there would be an indisposition on the part of the Commissioners to revise the decision of one of their number, more especially as there would be no further appeal on a question of facts.

Mr. ASSHETON CROSS thought that to secure uniformity of decision, all three Commissioners should sit together at first at any rate as often as possible.

Mr. MELLY objected to the Committee reporting progress.

Mr. CHICHESTER FORTESCUE hoped that the Committee would not report progress. He proposed to withdraw Clause 20 for the present, and, after careful consideration, bring up a new clause on the Report.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Gregory.*)

The Committee *divided:* — Ayes 52; Noes 146: Majority 94.

Clause 20 *postponed.*

Clause 21 (Powers of Commissioners).

Mr. MUNTZ complained that extraordinary powers, unknown to the law, were proposed to be given by this clause —namely, that the Commissioners were to try cases both of law and fact.

The SOLICITOR GENERAL said, it was a very common practice, especially in Chancery.

Mr. MUNTZ moved the omission of sub-section A, which enabled the Commissioners to " enter any place or building " for the purposes of making inquiries for giving effect to the Act.

Sir JOHN PAKINGTON said, the clause was a very important one, defining, as it did, the powers of the Commissioners, and deserved more attention and consideration than it was likely to receive at that hour (half-past 12 o'clock). He hoped that the right hon. Gentleman would consent to progress being reported.

The SOLICITOR-GENERAL, in reference to the Motion of the hon. Member for Birmingham (Mr. Muntz), for the omission of the sub-section, stated that the words objected to had been copied from the Railways Clauses Amendment Act. A power which had not been abused by Inspectors appointed by the Board of Trade was not likely to be so by the Commissioners.

Mr. MUNTZ still objected to the words to which he had called the attention of the Committee, and submitted that it would be better to report progress, in order that the clause might be more carefully considered.

Mr. CHICHESTER FORTESCUE thought that if the Commission was to be set up, it must at least be armed with necessary powers for the purposes of the Act.

Mr. FIELDEN moved that the Committee report progress.

Motion *agreed to.*

Committee Report Progress: to sit again *to-morrow.*

SUPPLY—REPORT.

ARMY.—AUTUMN MANŒUVRES.

QUESTION.

Mr. SCLATER BOOTH asked the Secretary of State for War whether, seeing that no alteration had been made in the 66th clause of the Mutiny Bill, the Government was prepared to make an allowance, out of the compensation money, for losses accruing to licensed victuallers by the passage of large bodies of troops to and from the Autumn Manœuvres. Looking at the large number of troops which these manœuvres brought into unfrequented districts, and the costs thereby imposed upon the keepers of public houses and the high price of meat and other provisions, the Government ought to take this matter into consideration.

Mr. OTWAY confirmed the statement of the hardship inflicted on innkeepers on whom soldiers were billeted owing to the increased price of provisions.

Major ARBUTHNOT bore testimony to the willingness with which the troops were received wherever they went.

Sir HENRY SELWIN-IBBETSON said, that the mode of quartering the troops in the district with which he was connected had been attended with considerable inconvenience.

Sir HENRY STORKS: It has been considered not advisable to alter in the Mutiny Act the allowance ordinarily granted to innkeepers for meals supplied to soldiers because of a rise in the prices which may prove to be temporary, but the Government has under consideration a proposal to allow temporarily an increased rate in consequence of the present high prices of provisions. The proposal includes the same allowance to be given retrospectively to those publicans on whom the difference operated exceptionally last year in consequence of the large numbers billeted upon them during the Autumn Manœuvres. With respect to forage, they did not consider that the same grievance existed. The expenses would be defrayed from the sum estimated for the movements of the troops. Vote 10.

MUTINY BILL.—THIRD READING.

COLONEL NORTH called attention to the ruling of the Deputy Judge Advocate as to desertion, and mentioned a case in which a soldier having absented himself nine times, and at last struck off the strength of his regiment, was convicted by a court-marshal and sentenced to imprisonment. The Deputy Judge Advocate quashed the conviction, holding that a man could not be convicted of desertion unless it was proved that he did not intend to return. But how could intention be proved? As the men were not now marked, the officers had nothing to guide them, and the desertions this year alone had amounted to 6,000. Such a state of things was a disgrace to the Army.

MR. CARDWELL pointed out that absence without leave and desertion were totally different crimes, although there were severe punishments for both; and submitted that it was the duty of a court-martial to convict only for the crime which had been actually committed. As to proving a man's intention, that had to be done in order to secure a conviction for larceny. The present Deputy Judge Advocate was appointed in 1869, but the edition of "Simmons' Manual," the text book in these matters, published in 1863, contained this definition: "Desertion is the illegal absence of an officer or soldier from duty without the intention of returning." Therefore the Deputy Judge Advocate had not introduced a new ruling, by laying it down that intention was an essential ingredient in the crime of desertion. He rejoiced at the abolition of marking, and corporal punishment, and while he hoped courts-martial would severely punish men convicted of crime, he trusted they would not find a man guilty of a crime he had not committed.

Bill read the third time and *passed.*

JURIES (IRELAND).

Select Committee *appointed,* "to inquire and report on the working of the Irish Jury system before and since the passing of the Act 34 and 35 Vic. c. 65; and, whether any and what amendments in the Law are necessary to secure the due administration of justice."—(*Mr. Bruen.*)

And, on April 2, Committee *nominated* as follows:—The Marquess of HARTINGTON, Mr. ATTORNEY GENERAL, Dr. BALL, Mr. HERON, Mr. BOURKE, Viscount CRICHTON, The O'CONOR DON, Sir ROWLAND BLENNERHASSETT, Lord CLAUD HAMILTON, Major O'REILLY, Colonel WILSON-PATTEN, Mr. DOWNING, Mr. CHARLES LEWIS, The O'DONOGHUE, Colonel VANDELEUR, Mr. M'MAHON, and Mr. BRUEN:—Power to send for persons, papers, and records; Five to be the quorum.

And, on April 29, Colonel FORDE *added,* Lord CLAUD HAMILTON *discharged.*

And, on May 5, Mr. M'MAHON *discharged,* Mr. HENRY HERBERT *added.*

BUILDING SOCIETIES BILL.

On Motion of Mr. CROSS, Bill to amend the Law relating to Building Societies, *ordered* to be brought in by Mr. CROSS, Mr. GOURLEY, Mr. WALPOLE, Mr. GREGORY, Mr. TORRENS, and Mr. DODDS.

Bill *presented,* and read the first time. [Bill 109.]

GRETTON CHAPEL MARRIAGES LEGALIZATION BILL.

On Motion of Mr. YORKE, Bill for legalizing Marriages solemnized in Gretton Chapel, in the parish of Winchcomb, Gloucestershire, *ordered* to be brought in by Mr. YORKE and Mr. MONK.

Bill *presented,* and read the first time. [Bill 110.]

LAND RIGHTS AND CONVEYANCING (SCOTLAND) BILL.

On Motion of Mr. GORDON, Bill to amend the Law relating to Land Rights, Conveyancing, and Deeds in Scotland, *ordered* to be brought in by Mr. GORDON, Mr. CHARLES DALRYMPLE, and Sir GRAHAM MONTGOMERY.

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, 1st April, 1873.

MINUTES.]—PUBLIC BILLS—*First Reading*—Mutiny*; Income Tax Assessment* (55); Public Worship Facilities* (56).

Second Reading—Committee negatived—Endowed Schools (Address)* (54).

Referred to Select Committee—Supreme Court of Judicature (45).

Committee—Report—Salmon Fisheries Commissioners* (47).

Third Reading—Custody of Infants* (51), and *passed.*

SUPREME COURT OF JUDICATURE BILL—(No. 45.)

(*The Lord Chancellor.*)

REFERRED TO A SELECT COMMITTEE.

Order of the Day for the House to be put into Committee (on Re-commitment), read.

LORD CAIRNS: My Lords, although I have given no Notice of Amendments on this Bill, I venture to take this opportunity of suggesting to my noble and learned Friend on the Woolsack the expediency and advantage, as it seems to me, of passing this Bill in the first instance through a Select Committee. I have communicated my views on this subject to my noble Friend, and I have refrained from putting Amendments on the Paper lest it might be supposed that I desired to impede, much less endanger the measure. I have already had an opportunity of stating to your Lordships that in all that concerns its outline and its leading features, this Bill has my entire approval; and I should be sorry that anything should occur to endanger its passing in this present Session. But when the details of the measure are looked at it appears to me obvious that in discussing a Bill of this extent, and which deals with such a variety of subjects, there must arise from time to time differences in the arrangement on which a considerable amount of conversation will be necessary, and that this conversation must proceed very much on minute particulars. It appears to me equally obvious, therefore, that a Select Committee would be more fitted to deal with those questions than this House—in the first instance at all events. Without entering into any argument I will point out two matters on which I think there must be a considerable amount of minute discussion. One is the Schedule which contains the Code of Procedure to be introduced by the Bill. I think my noble and learned Friend informed your Lordships that this Schedule had been prepared under the very competent supervision of some gentlemen whose names he mentioned to your Lordships. I own the skill with which it has been prepared, but I must express my opinion that when it comes to be examined it is much more adapted to the plain and simple issues which arise in the Courts of Common Law than to the more complicated cases which arise in the Courts of Equity. That is a matter with respect to which, as I have already stated, I will not enter into any argument now; but if there is found to be considerable reason for the statement I have ventured to make on this point, the alteration which will have to be made in the Bill is one which can be better made in a Select Committee than in a Committee of the Whole House. The other matter is one which I have already mentioned to my noble and learned Friend in conversation. My noble and learned Friend, in composing the Supreme Court, has taken the Queen's Bench, the Common Pleas, and the Exchequer, and through their Chiefs preserved their present names, while making them separate departments of the Supreme Court. I know this arrangement has been criticised in some quarters, but I believe my noble and learned Friend is right in what he has done. I quite agree with those who hold that there never can be a complete fusion of law and equity till the distinction between them is abolished; but, as regards the present day, I believe my noble and learned Friend is right in the course he has adopted. He has taken as large a step as can be taken at the present time. But he has adopted a course with regard to the Court of Chancery which to my mind requires consideration. The Bill proposes to make the Court of Chancery the Second Division of the Supreme Court; but the Lord Chancellor, who has hitherto been at the head of the Court of Chancery, is taken away from it altogether. This Division is to have the Master of the Rolls for its head, with the Vice-Chancellors and the Judge of the Court of Admiralty under him; so that the effect of this portion of the Bill will be to sever altogether the connection which has hitherto existed between the Lord Chancellor and the Court of Chancery, and which, it appears to me, has been the life and essence of that Court. This objection, even if it be well founded, does not impair the principle of the Bill; but at the same time the alterations which it would be necessary to make in regard to this matter, if my objection prevails, would be so much of changes of detail, and be so minute, that they again could be more conveniently dealt with by a Select Committee. I am anxious that there should be no delay. I hope there will be none. I hope that if the Bill be referred to a Select Committee, that Committee may meet immediately after the re-assembling of your Lordships, and that it may hold its sittings *de die in diem;* and if this course be adopted I think I am not too sanguine in saying that the whole work of the Select Committee may be concluded within a week. I may say that my noble and learned Friend Lord Westbury, who is suffering from acute illness and is unable to be in the House to-night, has communicated with me. Your Lordships will not be astonished to hear his great anxiety to take a part in the discussion of this measure, and he is extremely anxious, as I am, that it should be referred to a Select Committee, and if named on such a Committee he hopes to be able to serve. Under all the circumstances I have mentioned I hope my noble and learned Friend on the Woolsack will adopt the suggestion of referring this Bill to a Select Committee.

The LORD CHANCELLOR: My Lords, the mere fact that my noble and learned Friend who has just addressed your Lordships considers it the most advisable course to refer this Bill to a Select Committee goes very far indeed with me as a reason why that course should be adopted. Nothing is more desired by myself, and I think that probably nothing is more desired by your Lordships who feel the importance of this subject, than that what we do should be well done. I have no particular attachment to any matter of detail in this Bill, apart from the opinion I have formed that it tends to accomplish the object we all have in view. My noble and learned Friend has not only given an earnest, by the manner in which he has spoken on this subject on a former occasion, of his desire to accomplish this work in the best manner possible, but, as your Lordships are aware, he took an active part on the Royal Commission on whose first Report this Bill is mainly founded. I am bound also to say that while not indisposed to grapple in your Lordships' House with whatever difficulties may arise on the details of the measure, I am far from insensible of the convenience of dealing with the details of particular clauses in the manner my noble and learned Friend proposes. Hoping and believing that by this means we may have more fully than we otherwise should the benefit of the advice and assistance of my noble and learned Friend, and of other noble Lords both learned and not learned in the Law, and that as a result the Bill will go down stamped with more authority to to another place, I cheerfully accede to the suggestion of my noble and learned Friend. Your Lordships will, perhaps, allow me to say that while I entirely go with my noble and learned Friend in what he said as to the importance of the Rules of Procedure contained in the Schedule, and as to the improvements of which they may be susceptible, in order to meet the variety of cases with which we have to deal, I must reserve myself entirely on the other point raised by my noble and learned Friend. With respect to the future relations of the Lord Chancellor and the Court of Chancery, as at present advised, I am disposed to adhere to the provision in the Bill; but on that and every other subject I shall be glad to have an opportunity of exchanging opinions and reasons with those who may sit on the Select Committee. I believe the proper course will be for me to now move the discharge of the Order for going into Committee, with the view of moving subsequently that the Bill be referred to a Select Committee. I therefore beg to move the discharge of the Order.

Lord DENMAN expressed his disapproval of the plan of abolishing the Appellate Jurisdiction of their Lordships' House; and was as much opposed to the Bill being referred to a Select Committee as to a Committee of the whole House.

Lord REDESDALE said, he could not let the measure pass its present stage without making a few observations respecting it. He could not but think that the proposed abolition of the Appellate Jurisdiction of their Lordships' House was a much more serious matter than many persons supposed, and that to interfere with that jurisdiction would be a very unwise step. In justice to the memory of Lord Lyndhurst, he thought it right to say that was the opinion of that noble and learned Lord. He had many conversations with him on the subject, and on one occasion in particular Lord Lyndhurst said to him—"Never consent to give up the jurisdiction of the House of Lords in appeals." It was sometimes contended that the Prerogative of their Lordships' House in this matter was only a name. Even if that were so, which was not the case, the same might be said of many other things which were conducive to feelings and results which it was very desirable to preserve. Why, for instance, if this House ceased to be a Court of Judicature should the decision on Impeachments be any longer referred to it? If it was to become a political and legislative Assembly only, why might not the House of Commons assert themselves equally qualified to exercise that jurisdiction? Why was that House asked to give up its jurisdiction as a Supreme Court of Appeal? Not because the House did not exercise that jurisdiction efficiently:—all the evidence given before the Committee which sat last year proved that as a Court of Appeal the House of Lords did its business in an efficient and a satisfactory manner. The Bill of the noble and learned Lord on the Woolsack reserved the Appellate Jurisdiction of their Lordships' House for Scotland and Ireland. Why? Because it was believed that no other Court of Appeal that might be constituted would give equal satisfaction to suitors from those countries. A noble and learned Lord who spoke on the occasion of the second reading (Lord Cairns), suggested that, in certain cases, it might be desirable to give a further appeal from the first decision of the Appellate Court to be constituted under the Bill. Why should not their Appellate Jurisdiction be retained for such cases? If this were done their Lordships' House would continue to be the Supreme Court of Appeal. It was urged as an objection to the Appellate Jurisdiction of the House of Lords that it was competent to any lay Lord to come in and give his judgment on an appeal; but for a long time the practice had been to delegate the hearing and deciding of appeals to the Law Lords. The House at large ratified what they did. But, to remove the theoretical objection, the House might by formal order select certain members, the Law Lords, to hear and decide appeals. He believed the legal jurisdiction of their Lordships' House had arisen even before the constitution of Parliament itself. It was granted originally by Magna Charta, which provided that twenty-five Barons should be appointed to receive Petitions as to wrongdone, and that when complaint was made it should be referred for hearing to four of them. Afterwards, when such matters came to their Lordships' House, and down to the present day, Triers were appointed of Petitions from England and Ireland, and also Triers of Petitions from Gascony and other places beyond the sea. This was an old form; but it showed that from remote times the custom had been to appoint a select number of their Lordships' House to try appeals, the proceedings of which select number were ratified by the House. Another objection to the continuance of the Appellate Jurisdiction of their Lordships' House was that the number of the Law Lords who heard appeals was too limited. To meet that objection, he himself so long back as 1851 gave Notice of an Address to the Crown for the summoning to that House of certain persons holding judicial offices. He thought that the Law, as well as the Church, should be represented in their Lordships' House, and his proposition was to have the Lord Chief Justice of the Queen's Bench, the Lord Chief Justice of the Common Pleas, and the Lord Chief Baron of the Exchequer called to it by Writ of Parliament or an Address to the Crown. The noble Marquess behind him (the Marquess of Salisbury), since the introduction of the Bill now before their Lordships, had given Notice of an Amendment having for its object the introduction into that House of the members of the Court of Appeal to be constituted by the Bill. He thought the proposition of the noble Marquess was open to an objection on a point of form, inasmuch as it did not propose to proceed by Address to the Crown. He also thought that the number it would introduce into their Lordships' House was too large. He thought his own plan that an Address should be presented to the Crown to call to the House certain professional Peers a preferable mode of proceeding, for he thought that the consent of the Crown should be first obtained. These, however, were not objections which need stand in the way of an addition to the power of their Lordships' House as a Court of Appeal, and he begged again to express an opinion that it would be unwise to part with their jurisdiction as the Supreme Court of Appeal.

Order *discharged.*

The LORD CHANCELLOR moved that the Bill be referred to a Select Committee.

The Marquess of SALISBURY said, he presumed that the fact of the Bill being sent to a Select Committee would not deprive him of the opportunity of bringing forward at a future stage the proposition of which he had given Notice, and to which his noble Friend the Chairman of Committees had just referred. In reply to the criticism of his noble Friend, he wished to observe that he did not think that the question of the number of legal officials that ought to be introduced into their Lordships' House affected the essence of his proposition; nor did he think the other matter—the Royal Prerogative—touched the principle. He had no wish to interfere with the Royal Prerogative, and a clause might be introduced providing that the fiat of Her Majesty should be necessary.

Motion *agreed to;* Bill referred to a Select Committee.

And, on Friday, April 3, the Lords following were named of the Committee.

L. Abp. Canterbury.
Ld. Chancellor.
Ld. President.
Ld. Privy Seal.
D. Bedford.
M. Salisbury.
E. Derby.
E. Grey.
E. Morley.
V. Eversley.
L. Clinton.
L. Redesdale.
L. Chelmsford.
L. Lyveden.
L. Westbury.
L. Romilly.
L. Penrhyn.
L. Colonsay.
L. Cairns.
L. Hatherley.
L. Blachford.

House adjourned at Six o'clock,
to Thursday next,
Two o'clock.

* * *

HOUSE OF COMMONS,

Tuesday, 1*st April,* 1873.

MINUTES.]—Public Bills—*Ordered*—Elementary Education Provisional Order Confirmation (No. 3) *; Shop Hours Regulation *; Shrewsbury School Property *; Fairs Act (1868) Amendment *; Borough Franchise (Ireland) *; County Franchise (Ireland) *.
First Reading—Land Rights and Conveyancing (Scotland) * [112].
Second Reading—Defamation * [70], *negatived.*
Committee—Local Taxation (Accounts) [16] [House counted out].

THE BURIALS ACT—ANCIENT BURIAL-PLACE, PONTEFRACT.—QUESTION.

The O'CONOR DON asked the Secretary of State for the Home Department, Whether his attention has been called to an alleged desecration of an ancient burial-place at Monkhill, Pontefract, where, it is stated, that human remains have been disinterred and carted away as rubbish, skulls and other bones being scattered about and made into lanterns and playthings by thoughtless boys; and, whether he has caused any inquiry to be made into the matter, or taken any steps to secure the re-interment of the remains thus disturbed?

Mr. BRUCE; I received, Sir, a complaint from the Roman Catholic priest at Pontefract stating that a quantity of bones had been removed from what was supposed to be an ancient cemetery. I communicated with the local authorities as to the person who was charged with this desecration, and ordered them to inform him that if the place in question was actually a cemetery the offender rendered himself liable to be prosecuted for a misdemeanour, and to pecuniary penalties under the Burials Act, unless he was acting with a licence. The proceedings were stopped, and further inquiries were made, the result of which I have just received. From this it appeared that the land in question was bought by a gentleman at Pontefract, without any knowledge or suspicion that it had ever been a cemetery. Indeed, it appears to be very doubtful whether it ever was one. The ground was bought for building and garden purposes, and in clearing it for the foundation of a kiln, the workmen came across a considerable deposit not only of human bones, but also of bones of animals. The belief is that the former were the remains of persons killed during the siege of Pontefract during the Parliamentary wars. How that may be, it is impossible for me to say, but in the meantime no further removal of bones has taken place, and a policeman is stationed on the ground for the purpose of preventing desecration. Some skulls have been removed out of idle curiosity, but I have suggested that the bones already removed should be conveyed to the old churchyard and buried there.

ARMY—INDIA—MEDICAL OFFICERS.

QUESTION.

Sir THOMAS BAZLEY asked the Under Secretary of State for India, When the new Army Medical Warrant will be applicable to the Medical Officers of Her Majesty's Indian Army; and, if Medical Officers of the Indian Army who are now on sick leave in Europe, and receiving the old rate of English pay, will be granted the increased rate of pay from the date of the publication of the Warrant, viz. 1st of March, 1873?

Mr. GRANT DUFF: In reply, Sir, to my hon. Friend, I have to state that the matter referred to in his first Question is now under consideration at the India Office and the War Office. In reply to his second Question, I have to say that it is not intended to make any change in the present rate of pay of officers in the Indian Medical Service.

RUSSIA—CENTRAL ASIA—THE KHIVA EXPEDITION.—QUESTION.

Viscount MAHON asked the Under Secretary of State for Foreign Affairs, Whether it is true that the Government has declined to send the Military Attaché at St. Petersburg, or any other English Officer, to accompany the Khiva Expedition?

Viscount ENFIELD: It is true, Sir, that Her Majesty's Government do not intend sending either Captain Wellesley, the Military Attaché at St. Petersburg, or any other British Officer, to accompany the Expedition to Khiva.

SUPPLY.—QUESTION.

Mr. VERNON HARCOURT asked the First Lord of the Treasury, Whether he was correctly understood to have stated that no Vote will be asked or Resolution proposed before the holidays which would affect the taxation of the coming financial year; and, whether he can state what will be the earliest day after the holidays upon which the proposals in the Budget will be taken into consideration.

Mr. GLADSTONE in reply, said, that it was his intention to state the other evening that, although his right hon. Friend the Chancellor of the Exchequer intended to make his annual financial statement on Monday next, the Government would not ask the House before the Easter recess to come to any decision which would in any manner bind the judgment of the House. As they were aware, it was a common thing to pass a Resolution of a formal character and, for a practical purpose, and he did not mean to say that some such Resolution might not be passed, but none would be proposed binding the House with reference to the future taxation of the year. He thought the most convenient day for practically considering the proposals of the Budget would be the 24th instant, the third day after the re-assembling of the House.

ARMY—THE 10TH HUSSARS.

QUESTION.

Mr. ANDERSON asked the Secretary of State for War, If he will explain the circumstances under which the 10th Hussars were sent to India a few months ago without their Lieutenant Colonel; if such an arrangement is not extremely unusual; if the fact that the Lieutenant Colonel is only now gazetted out indicates that special leave was given him to remain at home to enable him to complete his period for retirement without going to India with his Regiment; and, if it is intended for the future to show the same consideration to all Officers, whatever their rank?

Mr. CARDWELL: Sir, when the 10th Hussars sailed for India it was in contemplation to submit to Her Majesty a new Royal Warrant, enabling the authorities to permit Lieutenant Colonels of regiments of sufficient service to retire to half-pay, on their own application, in the same way as under the new system Lieutenant Colonels appointed after the 31st of October, 1871, will retire compulsorily. The Lieutenant Colonel of the 10th Hussars had applied to retire, and it was intended to permit him to do so as soon as the Royal Warrant should have issued. The only effect of adopting any other course would have been that the public would have had to pay his passage out to India, and he would have been put to the expense of a return passage in a few weeks after his arrival in India. It is not true that the object of giving him special leave was to enable him to complete his service, since it had already been completed. The same circumstances cannot it is evident occur again.

PROFESSORSHIP OF PASTORAL THEOLOGY, OXFORD.—QUESTION.

MR. AUBERON HERBERT asked the First Lord of the Treasury, If the Regius Professorship of Pastoral Theology at the University of Oxford does not amount to about £1,500 a year; and if he will state on what grounds, and with respect to what qualifications, the Rev. E. King has been appointed by the Crown to that Chair?

MR. GLADSTONE, in reply, said, he would not criticize the expression in the Question, or say whether it was quite accurate to speak of the "amount of the Professorship of Pastoral Theology;" but his hon. Friend had, as far as he knew, stated the Professor's income pretty correctly. It was, he believed, somewhere between £1,400 and £1,500 a-year; but, as his hon. Friend was of course aware, the Government had no official information of the value of the Canonry of Christ Church Cathedral, which was attached to the Professorship. With respect to the grounds and qualifications for the appointment, he could not very well distinguish between grounds and qualifications; but as to the qualifications, he had no difficulty in answering the Question. According to the best estimate which he could make of the character of the office, which was not a very general one, for it did not exist in many Universities; over and above the ordinary qualifications of a Professor of Theology, the Professor of Pastoral Theology had for his special functions to assist in forming pastoral habits and the pastoral character. It was a more personal charge than the other Professors of Divinity, and the gentleman appointed to such an office should be possessed of strong sympathies and of the power of exercising a healthy and beneficial influence over character; and from his experience, of some duration, he believed Mr. King was a gentleman who possessed those qualifications not only in an ordinary but in an eminent degree.

EDUCATION DEPARTMENT (SCOTLAND) —EXAMINATION OF TEACHERS.

QUESTION.

MR. GORDON asked the Vice President of the Privy Council, Why the Scotch Education Department of the Privy Council have not prepared and given notice of regulations in regard to the examination of teachers, in terms of the fifty-seventh section of the Act 35 and 36 Vic. c. 62, Education (Scotland) Act, 1872, which enacts—

> "It shall be the duty of the Scotch Education Department immediately after the passing of this Act, and thereafter from time to time to make such regulations as they may see fit in regard to the time and manner, and the subjects of the examinations to be passed by such persons as desire to obtain a certificate of competency, and to regulate the conditions on which candidates may be admitted to examination, and the notice to be given thereof."

MR. W. E. FORSTER: Sir, the Education Department of the Privy Council have not yet issued the regulations in regard to the examination of teachers as contemplated by the section of the Act in question; and the reason why they have not done so is that it is inconvenient—I may say useless—to issue such regulations until it has been determined what change should be made in the conditions of the Parliamentary Grant to Scotch Schools, that is, till the New Code for Scotland has been issued. The right hon. and learned Gentleman may be aware that the Education Department have no power to issue such Code until they have received suggestions from the Scotch Education Board, which suggestions have not yet been received.

EAST INDIA—(FINANCIAL STATEMENT).—RESOLUTION.

MR. FAWCETT presented Petitions from Bombay and Calcutta on the subject of the Indian Budget. On the Motion of Mr. Fawcett, the Petition from Calcutta, which came from the British Indian Association, was read by the clerk at the Table. It prayed that the House might be pleased to pass a Resolution requiring that the Indian Financial Statement should be brought forward at an earlier period of the Session.

MR. R. N. FOWLER: Mr. Speaker, in accordance with the Petitions my hon. Friend has just presented, I rise to move—

> "That, in the opinion of this House, it is desirable that the Statement of the Financial Affairs of India should be made at a period of the Session when it can be fully discussed."

Sir, I wish to recall to the recollection of the House the circumstances under which the Indian Financial Statement was brought forward last Session. It was submitted at a morning sitting on the 6th of August, the prorogation taking place on the 10th. On that occasion my hon. Friend the Under Secretary for India made his statement in a speech of two hours' duration, distinguished by his usual eloquence and great knowledge of Indian affairs. He was followed by my hon. Friend the Member for Brighton (Mr. Fawcett), who spoke for two hours and a-half, and whose speech, considering the physical difficulties under which he laboured, and the columns of figures and long quotations which it contained, was one of the greatest intellectual efforts which I ever had the good fortune to hear and which, I believe, was ever witnessed in this House. I do not complain of the length of those speeches, on the contrary, having listened attentively to both, I believe that not a word could have been advantageously omitted from either; but if the two introductory speeches could occupy four hours and a-half, it is obviously impossible that such a debate could be advantageously got through in a morning sitting, or in any one sitting of the House. In fact, the hon. Member for Brighton had not concluded his speech when the morning sitting came to an end, and the Government were obliged to allow the debate to be renewed after the business fixed for the evening sitting. What was the result? Several hon. Members who generally took part in discussions relating to India were not present, and my right hon. Friend the Member for North Devonshire (Sir Stafford Northcote) was compelled, I know most reluctantly, to leave London before the debate came on. Can justice be done to the great interests of India in that way? When, in 1858, the power of the Government of India was taken away from the East Indian Company and was transferred to the Crown, it was understood that the Eastern Empire would receive greater attention at the hands of Parliament. They had that morning read a Bill a second time (East India Stock Dividend Redemption Bill), the object of which was finally to extinguish that ancient and historical corporation, the East India Company; and at the time when its political powers were vested in the Crown the leaders on both sides said that great advantage would arise from giving greater attention to the affairs of India. Lord Palmerston, in a speech on introducing the Government of India Bill, said—

> "However, we shall be told by some that the Government of India is a great mystery—that the unholy ought not to set foot in that temple —that the House of Commons should be kept aloof from any interference in Indian affairs—that if we transfer the Government to the Ministers responsible to Parliament, we shall have Indian affairs made the subject and plaything of party passions in this House, and that great mischief would arise therefrom. I think that argument is founded on an overlooking of the fundamental principles of the British constitution. It is a reflection on the Parliamentary government. Why, Sir, what is there in the management of India which is not mainly dependent on those general principles of statesmanship, which men in public life in this country acquire here, and make the guidance of their conduct. I do not think so ill of this House as to imagine that it would be disposed, for factious purposes, or for the momentary triumph of party, to trifle with the great interests of the country as connected with the administration of our Indian affairs. I am accustomed to think that the Parliament of this country does comprise in itself as much administrative ability, and as much statesmanlike knowledge and science as are possessed by any number of men in any other country whatever; and I own, with all respect for the Court of Directors, that I cannot bring myself to think that the Parliament of England is less capable of wisely administering the great affairs of State in connection with India than the Court of Directors in Leadenhall Street. I am not afraid to trust Parliament with an insight into Indian affairs. I believe, on the contrary, that if things have not gone on so fast in India as they might have done—if the progress of improvement has been somewhat slower than might have been expected, that effect has arisen from the circumstance that the public of England at large were wholly ignorant of Indian affairs, and had turned away from them, being daunted by the complications they imagined them to be involved in; and because Parliament has never had face to face, in this and the other House, men personally and entirely responsible for the administration of Indian affairs. No doubt a good deal has been done in the way of substantial improvement of late years, but that which has been done I may venture to say has been entirely the result of debates in this and the other House of Parliament. And, so far from any discussion on India having worked evil in India, I believe that the greater part of those improvements which the East India Directors boast of in that publication which has lately issued from Leadenhall Street, has been the result of pressure on the Indian administration by debates in Parliament and discussions in the public Press. Therefore, so far from being alarmed at the consequences which may arise from bringing Indian affairs under the cognizance of Parliament, I believe that a great benefit to India, and through India to the British nation, will result therefrom."—[3 *Hansard*, cxlviii. 1290.]

Lord Palmerston's view evidently was that Indian affairs might with advantage be more discussed in the House than they had previously been, and that view was endorsed by what the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) called an "overwhelming majority;" the majority being 145, or 318 against 173. The argument brought forward by the East India Company, whose defence was conducted by a very eminent Gentleman still spared to this House, my hon. Friend the Member for Huntingdon (Mr. T. Baring) was, that if the Company were abolished India would become the battle-ground of party in this House. The hon. Gentleman said, at the conclusion of a very eloquent speech—

> "Above all, it relates the history of a Government which did not destroy the population of the territory which it acquired, but won their respect and gratitude. God grant that the continuation of that history may present as bright or brighter pages! but let it not have to record that, at a moment of great trouble, the English Minister of the day to the difficulties of an unextinguished Mutiny added the uncertainties of a change of Government; let it not record that an English Parliament, guided by a public opinion which was ignorant of Indian affairs, imperilled an empire by its rash legislation; and, above all, let it not record that, by an act of this House, the fairest dominion of the Queen was converted into the shuttlecock of party."—[3 *Hansard*, cxlviii. 1304.]

The right hon. Gentleman the Member for Buckinghamshire on a subsequent evening of the debate attributed the indifference with which Indian matters were treated in the House of Commons to the circumstance that the House was not responsible for the finances of India, and made use of the following words:—

> "We have heard over and over again in this House that India never could command attention here—that so long as there was a debate on India it was impossible to make or keep a House, and that it was a subject—however great its magnitude and vast and varied its details, in which Englishmen would never take an interest. I think, Sir, there is a very simple and satisfactory reason for conduct which I cannot say is much to our honour, and for circumstances which I own are somewhat humiliating."—[3 *Hansard*, cxlviii. 1708.]

The right hon. Gentleman then proceeded to give as a reason that the House was not responsible for the finances of India. Within a few days after that debate the Government of Lord Palmerston was defeated and retired, being succeeded by the Government of Lord Derby, in which the right hon. Member for Buckinghamshire filled the office of Leader of the House of Commons. That Government passed a Bill, transferring the Government of India from the Company to the Crown, in treating of which Lord Derby spoke as follows in a debate in the other House of Parliament:—

> "This Bill does not pretend to deal with all those complicated and difficult questions which will, no doubt, within the next few years frequently engage the anxious consideration of Parliament and of the country. It does not pretend to deal with the revenue, with the finance, with the land regulations, with the condition of the natives, and the possibility of extending their admission into the public service."—[3 *Hansard*, cli. 1448.]

Sir, I think it is evident from the extracts which I have read that it was contemplated by the leaders of parties of that day that if the Government of India were transferred to the Crown, India would receive a greater amount of attention at the hands of Parliament. Sir, how has that pledge given by the Leaders, and endorsed by an enormous majority of the House, been redeemed? It had previously been the practice to put off the Indian Budget to the end of the Session, and after the power was transferred to the Crown it might well have been expected that a new system would be adopted; but the House will see from the dates on which the Indian Budget was introduced between 1855 and 1870, that the practice still continued of bringing it forward at the close of the Session. Under the old system, the right hon. Member for Northampton (Mr. Vernon Smith) brought it forward on August 7, 1855; and again on July 21, 1856; while, in 1857, the right hon. Gentleman, in answer to the noble Lord the Member for Tyrone (Lord Claud Hamilton), said he should make no statement on account of the Mutiny. Under the new system, it was brought forward by the right hon. Baronet the Member for Halifax (Sir Charles Wood), on August 1, 1859, the Prorogation occurring on August 13—a period of 12 days; again on August 13, 1860, the Prorogation occurring on August 28—a period of 15 days; again on July 25, 1861, the Prorogation occurring on August 6—a period of 12 days; again on July 17, 1862, the Prorogation occurring on August 7—a period of 21 days; again on July 23, 1863, the Prorogation occurring on July 28—a period of 5 days; again on

July 21, 1864, the Prorogation occurring on July 29—a period of 8 days; again on June 29, 1865, the Prorogation occurring on July 6—a period of 8 days; by the noble Lord the Member for Stamford (Viscount Cranborne), on July 19, 1866, the Prorogation occurring on August 10—a period of 22 days; by the right hon. Baronet the Member for North Devon (Sir Stafford Northcote), on August 12, 1867, the Prorogation occurring on August 21—a period of 9 days; again on July 27, 1868, the Prorogation occurring on July 31—a period of 4 days; by the hon. Member for Elgin (Mr. Grant-Duff), on August 3, 1869, the Prorogation occurring on August 11—a period of 8 days; and again on August 5, 1870, when the hon. Member for Brighton (Mr. Fawcett), moved an Amendment—

> "That this House regrets that the Indian Budget is introduced at so late a period of the Session, and is of opinion, considering the present position of Indian Finance, that it would be expedient to appoint a Select Committee early next Session to inquire into the administration of the finances of India."—[3 *Hansard*, cciii. 1599.]

—this Amendment was withdrawn, and the House agreed to the Resolutions—the Prorogation occurring on August 10—a period of 5 days. I venture to submit that to postpone so important a debate until the "dog days," is not creditable to the conduct of Business in this House. I may be told that it is impossible to get an earlier day; but I venture to think that it would be better to have a satisfactory debate on incomplete Returns, than an unsatisfactory debate on Returns which have been completed. Hon. Members have seen in the newspapers telegrams from India of the announcement of Sir Richard Temple's Budget. I think there could be no difficulty in bringing forward the Budget shortly after Whitsuntide At all events, a matter of such deep importance deserves some sacrifice of the time of the House. I can but think that in putting off the debate to the end of the Session the House is neglecting its duty. Members of this House are trustees of the people of India. Our Indian subjects are not a people who can be entrusted with representative institutions; and it is on that account the duty of England to see that the interests of India are properly looked after. We must all rejoice that the apprehension of the distinguished advocate of the East India Company that India would become the shuttlecock of party has not been realized; but at the same time we must all deplore that this House has not taken a calm and dispassionate interest in the affairs of the greatest dependency any nation ever possessed. I cordially agree with the hon. Member for Brighton that there is no responsibility presses more strongly on a Member of this House than the responsibility he owes to the people of India. It seems to me to be a discredit and a reproach to Parliament that the affairs of India should be discussed by a jaded and exhausted House in the last days of an expiring Session, and entertaining this belief I venture, humbly but earnestly, to commend to the House the Resolution which stands in my name.

SIR DAVID WEDDERBURN: * In seconding the Resolution of my hon. Friend opposite, I shall confine my remarks to one or two points, as to which this House appears to be specially responsible for the finances of India, and upon which our influence may be most legitimately exercised. There are, of course, many important questions of Indian administration, which it is impossible for persons resident in this country fully to comprehend, which must be left in the hands of the Government in India, and in connection with which Parliament will show its wisdom by interfering as little as possible. But as regards finance, this is far from being the case, and it is to Parliament alone that India can look for any check upon those large items of expenditure which are under the immediate control of the India Office, or for any relief to the Indian treasury from charges which ought to be borne wholly or in part by the Imperial Exchequer. Apart from all other ways in which the British Parliament may afford protection to the unrepresented people of India, it is the duty of this House to inquire thoroughly into these two branches of Indian financial administration, and to exercise the control which it alone has the power of exercising over the Secretary of State for India. In petitioning Parliament, great stress has been laid by the Natives upon these two points—namely, first, the disposal of the revenues of India by the authorities in England; secondly, the adjustment of the financial relations between England and India upon a fair and equitable footing. In a Petition presented in May, 1871, to this House from the Bombay Association—a society composed entirely of Native gentlemen—the earnest attention of Parliament is invited to these topics, and "the immense increase which has taken place during the last 13 years in the amount of disbursements made in England out of the revenues of India by H. M. Secretary of State in Council" is assigned as one of the principal causes to which must be ascribed the large deficits in the Indian Exchequer from 1864 to 1870. For this result Parliament cannot be held free from responsibility. Then, again, items of expenditure, which ought to have been provided for entirely from the Imperial Exchequer, or equably distributed, have been entirely defrayed by India, and it is urged that Parliament should fairly apportion the cost of maintaining the connection between the two countries, India having cost Great Britain nothing either for her acquisition or defence. The attention of the House is directed to one more topic of great importance with which Parliament alone is competent to deal. The Bombay Association asserts that if Parliament were to give an Imperial guarantee for the Indian public debt, and convert it into consols, an immediate reduction might be effected in the rate of interest to the amount of £1,500,000 sterling, without any real burden being cast upon the Imperial Exchequer, and that this sum might be applied as a sinking fund to the complete extinction of the debt. It is an open question, upon which I will now venture no opinion, as to how far this country would be morally bound, in case of necessity, to make good the public debt of India. By many the moral obligation is held to be so strong that the concession of a legal guarantee would not practically increase our liability, while it would effect a great immediate saving to India, which would also benefit from the increased vigilance likely to be exercised in such a case by this House over the finances of our Eastern Empire. At the present time, moreover, a new danger to Indian finance has to be guarded against. The decentralization scheme has been fairly inaugurated, and a large additional share of administrative power, both in levying and expending money, has been conferred upon local governments. Great advantages were anticipated from this scheme as to economy, besides the development of municipal institutions, and the association of Natives in the administration. These hopes have been as yet very imperfectly realized, and it is complained that in certain cases these powers have been exercised to the detriment of the people, resulting merely in the imposition of new and vexatious taxes. In particular by the "Non-agricultural cess" in Bombay, the policy of the Imperial Government was reversed, and an income tax was imposed, which included those whose incomes reached £5 a-year, a sum implying great poverty even in India. It is, in fact, a sort of graduated poll-tax—the power of determining the class in which any individual is to be included being left to the Government assessors, whereby the door is opened to the grossest corruption and oppression. The estimated return from this tax was only £45,000, to be paid by about 500,000 people; and, although an appeal for exemption might be made to a European official, this involved a stamp equal at least in value to the minimum amount of the tax. All that can be said against an income tax applies with threefold force to such an impost as this, which is indeed in abeyance, but appears to be unrepealed, so that its machinery is at any moment available if required. I lay the more stress on it now, because being provincial, it finds no place in the financial statement laid before this House, and might altogether escape notice in England. In the opinion of the Natives the decentralization system is likely to produce many new local burdens, and many European officials share this view, holding that nothing will require to be more carefully watched than the tendency to grave abuses involved in such a system. There will always be a risk of the local authorities repeating, for purposes perhaps excellent in themselves, those petty but vexatious taxes formerly imposed under native rule. In the time of the Peishwa, no less than 29 cessses were levied in addition to the land tax, and although all have been abolished as Imperial taxes, some have been already re-established for municipal purposes. The fact is that publicity is above all things required in Indian administration; the Indian Council deliberates with closed doors; the proceedings of the Indian Finance Committee attract no attention in this country, although eagerly scanned in India. By discussion in this House alone can such publicity be given as may educate British opinion, and may satisfy India that her interests are being watched over. It is a question of Imperial policy to strengthen in every way the belief that this House is a true court of appeal against fiscal oppression, the worst evil with which India is now menaced. Once only during the whole Session does Government direct the attention of Parliament to Indian affairs, and it is idle to tell us that so many more important matters are pressing upon us that only in August, or late in July, can a few hours be spared for a weary remnant to discuss this vital question of Indian finance. When the Indian Budget is the subject of debate, there are hardly ever 40 Members present, but possibly all are present who take an interest in the question. It is true that India has never been made "the shuttlecock of party," but greatly as she has gained by this exemption, it has caused her also to suffer neglect. Even if her sense of neglect be to a certain extent a sentimental grievance, it is not the less keenly felt. The Petitions to-day presented from Calcutta and Bombay show the importance attached by the Natives to a full discussion of their affairs in this House, and, believing their demands to be just and reasonable, I have great pleasure in seconding this Resolution.

Motion made, and Question proposed,

"That, in the opinion of this House, it is desirable that the Statement of the Financial Affairs of India should be made at a period of the Session when it can be fully discussed."—(*Mr. Robert Fowler.*)

Sir CHARLES WINGFIELD said, that the Amendment of which he had given Notice was not in spirit adverse to the Motion of the hon. Member for Penryn (Mr. R. N. Fowler). He concurred in thinking it highly desirable that the Indian Budget should be brought in at an earlier day, but thought that the object would be more effectually attained by an Amendment of which he had himself given Notice. The Prime Minister stated in 1870 that the pressure upon the Government during the months of April, May, and June was such that they could not afford time for the discussion of the Indian Budget at that period of the year. The right hon. Gentleman at the same time admitted that the present practice was not satisfactory. It therefore became a question whether it would not be possible to enable the Indian accounts to come to this country early in the spring. It was by no means indispensable that they should continue to be made up to the 31st of March; but as long as that was done it was better to discuss Indian finances at the end of the Session than at the beginning, because otherwise the House would have to discuss the subject in the absence of the statement of the Financial Member of the Council, which was made in the last days of March or the first week in April. If the House discussed the finance of India in the absence of that speech and of any reliable accounts for the current year, or any estimate for the ensuing year, there would be no data before them for discussion. If, on the other hand, the Indian financial year which now terminated on the 31st of March were changed to the 31st of December, then the Indian Finance Minister could make his statement by the 10th of January, all the necessary documents would be sent home and printed by the end of February, and any day before the 10th of March might be fixed for the Indian Budget. It was said that this change would not harmonize with the land revenue accounts; but the present financial year did not correspond with the agricultural year, nor was it necessary that it should do so. He earnestly pressed this matter upon the attention of the House, because it appeared to him they had the remedy very much in their own hands. It was impossible, however, to enter into all the details of the proposed change on the present occasion it being a question eminently for examination and report by a Select Committee. the hon. Member concluded by moving the Amendment of which he had given Notice.

Mr. KINNAIRD seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it be an Instruction to the Select Committee on East India Finance to consider and report whether the Indian Financial year which now terminates on the 31st March, should be altered to the year ending on the 31st December, in order that the Secretary of State for India may be enabled to make his Financial Statement to the House before the Easter Recess," — (*Sir Charles Wingfield,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. EASTWICK said, he supposed the Resolution of the hon. Member for Penryn (Mr. R. N. Fowler) would be generally acceptable to the House. Hon. Members who took an interest in Indian affairs would be glad to have the financial statement made at a period when their energies were fresh and when it could be properly discussed. They would be glad, too, that there should be no ground left for the offensive imputation that that House was indifferent to the affairs and interests of India. It should, however, be remembered that the time for closing the accounts of the year was changed—no longer back than in 1866 —from the 30th of April to the 31st of March. That change entailed immense trouble on the financial department in India, which was always a hard-worked Department. We might be sure that this second change would also entail trouble and would cause considerable dissatisfaction and some expense, while it would likewise disarrange our statistics. We had already a year of 11 months to break our calculations, and now we should have in addition a year of nine months, so that it would be extremely difficult to make comparative statements, or draw deductions from averages. These, however, were small matters in comparison with mischiefs which might arise from the change, owing to its being inconvenient to get in revenue balances at that particular period or its offending the religious prejudices of the natives to do so for some reason or other which no Englishman would ever suspect. Whether this might happen or not was more than he could undertake to affirm until he had heard exhaustive evidence on the subject. His impression at present was that, so far as the natives were concerned, they might close the financial year in December just as well as in March. At the same time we should, of course, lay ourselves open to the objection—"Begin at home." Why, indeed, should we make this change in India and not in this country? But whatever evils this change, if it were adopted, might remedy, it was certain that it could possibly do nothing to remedy what was the greatest difficulty of all as regarded Indian accounts, and that was their overwhelming unmanageableness, owing to the vast extent of the Empire. If Bengal, the Panjáb, Bombay, and Madras were separate States with separate finance, then, of course, we might really look for something like accuracy in the Indian accounts. Before he sat down he would express a hope that, whether in this debate or in any other on Indian questions, the habit of making sharp criticisms on the action of the Indian Government would be avoided as much as possible. It was his belief that disaffection was bred and fed in India by the unpatriotic and offensive language of our own countrymen as much as by any other thing whatever. As a specimen he would, with the permission of the House, read one passage from a most mischievous and seditious article which appeared in *The Calcutta Review* for October, 1872. After sneering at our Government, and calumniating it in every possible way, the writer said—

> "The fact is, the English Dominion of India is a waste of power injurious to the English taxpayer as well as to the Indian. At the same time, inasmuch as the British taxpayer has the option of terminating the arrangement, while the Indian taxpayer, although the poorer, has no choice whatever in the matter, the former deserves little pity for his own folly, but the latter merits the deepest sympathy for his helpless plight. In our own coming season of English tribulation, with its reckoning of 200 millions of discredited Indian securities, when the helm of the State shall have fallen from the incompetent hands of rhetorical drivellers, may the ranks of the English people yield a ruler with the fearlessness of Delescluze, and a financier with the rectitude of Jourde."

All he could say was that if the Government chose to appoint a magistrate and collector to preach sedition in Orissa, they had no right to blow ignorant ryots away from guns for responding to his appeal.

Mr. DENISON merely wished to say that had the Amendment been an abstract Resolution for altering the date of the financial year he could not have supported it. It could not have failed to strike anybody who had listened to this and similar debates that this matter was discussed solely from an English point of view, and without the slightest regard to the feelings or the convenience of the people of India or the Indian authorities. The object of the proposed change was simply to allow certain discussions to take place at a period of the year most convenient to the House. He did not think that a sufficient reason for making the change without reference to the Indian authorities. The change which had already been made, and which was now only of five years standing, had created great inconvenience and disturbance. The 31st of December was a time when every executive officer in charge of a district was out in camp looking after the interests of his district, and when the Governor General, if he was on a tour, was absent from the seat of government. He did not find any fault with the Amendment which proposed that the Committee now sitting should take evidence on the point, but he protested against changes being made simply to meet a temporary inconvenience to the House. A subject of this importance ought to be deliberately considered, and if the proposed instruction were given to the Committee they might take evidence on the point, and would not come to any hasty or violent decision on a matter of such very great importance. In his judgment, the convenience of India, and of those who administered the government of India, ought to be the primary consideration in deciding this question, and not simply the convenience of this House.

Mr. KINNAIRD agreed with the hon. Gentleman who had just sat down that the object the House ought to have in view was the convenience and benefit of the Indian Empire. He was of opinion that the question should be referred to the Committee upstairs, which was now engaged in considering the subject of Indian Finance.

Sir STAFFORD NORTHCOTE said, he questioned the advisability of referring the question to the Committee upstairs. He would remind the hon. Member that that Committee were already charged with a very heavy task. The present was the third Session of their sitting, and it was by no means clear that they could terminate their inquiry within the limits of the present Session. Looking at the question simply from an English point of view, it would, of course, be easy for the Committee to discuss it and make recommendations; but the paramount question after all was, what would be most convenient for India, and probably upon that point they would have to take evidence from India. The more reasonable course to adopt would be to affirm the Motion of his hon. Friend the Member for Penryn (Mr. R. N. Fowler), and to remit to the India Office and Council the question whether it was desirable to make any change in the time at which the Indian financial year should close. The Motion, in point of fact, contained a truism which he hoped the House would not hesitate to affirm. Although at one time he had thought that the Indian financial year should be closed on the 31st of December, he confessed that more recent information had led him to doubt whether that change would put the Indian Government to an amount of inconvenience which would not be compensated by the convenience which that House would gain by it. At all events, he believed that this matter would be better undertaken by the Secretary of State himself than by the Committee upstairs, whose hands were already full. One advantage resulting from such discussions as the present was to show the people of India, and those who were interested in India, that there was more difficulty in the matter than was apparent at first sight, and that it was not from any indifference to Indian interests, but owing to the practical difficulty of getting through the business which the House must dispose of, that this scandal—for such he did not hesitate to say it was—annually occurred. On the other hand, it must be borne in mind that the discussion of the Indian Budget was not like the practical work of legislation, for the House had only to receive a statement, ask questions, and talk about it. It would, he thought, be better for the Government to face the matter boldly, and even in the midst of the Business of the House to set apart a day early in July for the bringing on of the Indian Budget, as they could do so then more conveniently than at the end of the Session. With respect to the Amendment of the hon. Baronet the Member for Gravesend (Sir Charles Wingfield), he hoped that by referring the question to the Select Committee the House would not add another to the straws which were already breaking the camel's back.

Mr. GLADSTONE said, his right hon. Friend seemed to be conscious of the weight of the straw which broke the camel's back upstairs, but did not seem to be equally conscious as to the weight of the straw which broke the camel's back downstairs. His right hon. Friend thought it an easy matter for the Government to find a day in the beginning of July, as compared with an earlier and later period of the Session, but that was not his experience. They were told the Motion of the hon. Member for Penryn (Mr. R. N. Fowler) was a truism, and that therefore it was desirable to place it upon record. But there were a great number of plain and undeniable truths in reference to the conduct of the Business of the House which were full of weight and importance, but which it would be most inexpedient to place upon record. For example, every year many measures which it was desirable should be carried remained unpassed. If an hon. Member were to move that it was of great importance that those measures should on the following year be adopted by the House of Commons and sent to the other House, that would be a truism, but one which it would be impolitic to record on the Votes of the House, and for this reason that the House ought not to record opinions which did not carry in themselves some operative principle—in other words, which did not tend to their own fulfilment. He wished, however, to meet the hon. Member as far as possible. The present year was not, perhaps, so much pressed with measures of the greatest importance as some years had been, and might afford them an opportunity of seeing whether in the months immediately before the last weeks of the Session, and before the attendance of hon. Members began to thin, they could not find a day for the discussion of the Indian Budget. He was willing to pledge himself to make that effort. It should be remembered that the Indian Budget must be taken on a Government night, as private Members, whether specially interested in India or not, were usually unwilling to give way and allow it to take the place of their own business. But the Government nights were spent in discussing questions which led to immediate and practical issues, in making progress with Bills or Votes; and, as a rule, it would not be found practicable to put aside those practical issues and the making of progress with the Votes in order to introduce a discussion which did not lead to an operative vote. He could not therefore concur in the opinion expressed by his right hon. Friend that the Resolution of the hon. Member for Penryn, which could not lead to any operative result, should be recorded on the Votes of the House. To refer the question to the Committee was a practical and, he thought, a fair proposal. If the Committee found they could not deal with it without taking evidence from India, they might discharge themselves of so serious an element of inquiry and recommend that it should receive the consideration of the Executive. On one point, which was of great importance, they were all agreed—namely, that the whole question at issue was for the benefit and advantage of India. It was not connected with the advantage of this country, or the comfort or convenience of Members of the House. What was desirable was that the discussion of the Indian Budget should be taken at such a time of the Session as was likely to be most conducive to the interests of India, and that time would, he thought, be found at the outset of the Session. He did not hesitate to affirm that the first two or three weeks of the Session constituted the period during which it was easiest to secure a considerable attendance of hon. Members. He did not think it would be possible to obtain a large attendance of hon. Members upon the Indian Budget late in the Session; but at the beginning of the Session there was a sort of freshness, and renovated zeal, and appetite for work among them which would really give a fair prospect, or the best prospect of a good attendance. He doubted whether the Under Secretary of State would not find it difficult to keep a House for the purpose even in May or June. There were thus two questions for consideration — first, the time at which the Indian Budget could be most advantageously discussed in this House; secondly, the best re-arrangement of the financial year in India. It would not be unreasonable to refer these points to the Committee, who would either point out the best way in which an investigation might be made, or would give a weighty judgment which he thought the House would be disposed to confirm. Holding this view, he was in favour of the Amendment. Meanwhile, he repeated that he had no wish to thwart, but, on the contrary, wished to forward, the reasonable object which the hon. Member opposite had in view. He did not, however, believe that the mere record of a truism would answer any useful purpose; and, on the part of the Government, he engaged during the present year to make the experiment of appointing the discussion upon the Indian Budget at an earlier period than usual, when hon. Members would not be drawn away from town by other attractions or necessities. He hoped the hon. Gentleman would be satisfied with this assurance; but if the vote of the House were taken, he should certainly vote for the Amendment.

Mr. FAWCETT admitted that the assurance of the Prime Minister, that he would endeavour to bring forward the Indian Budget at an earlier period this Session, was satisfactory as far as it went; but it did not appear to him to supply any valid reason why the hon. Member for Penryn should refrain from asking the House to express an opinion upon his Motion. He should vote for the Motion rather than the Amendment, because the Amendment, though not inconsistent with the Motion, took off the House upon a side issue. All the Motion did was to affirm the necessity of discussing the Indian Budget earlier than usual, and if the Committee decided that the Indian financial year should end December 31st, and that the Budget should be discussed here before Easter, the two things would not be inconsistent. The Prime Minister had enlarged upon the disadvantage of placing abstract Resolutions upon the records of the House. As an independent Member he looked upon abstract Resolutions from a differeent point of view. On some occasions he had withdrawn abstract Resolutions after proposing them, and he had never done so without regretting their withdrawal. On other occasions, when he had pressed abstract Resolutions, and they had been accepted by the House, they had proved fruitful of good. What was the objection to place the Motion of the hon. Member for Penryn on the records of the House? It would be an instruction to the present and to successive Governments—which could not be lightly disregarded by them—that the House of Commons desired the Indian Budget to be brought forward at a time when it might be properly discussed. No doubt it was difficult for the Government to provide a night for the Indian Budget, and for that very reason the House should declare that a night must be provided, so as to prevent the discontent which now existed in India, because the House of Commons frequently acted as though it wished to treat the affairs of India with intentional contempt. Two years ago a promise was given that an effort should be made to introduce the Indian Budget at an earlier period, but what happened last year? Why, last year the Indian Financial Statement had not even a day at the end of the Session. All that was vouchsafed was a morning sitting. At that morning sitting the speech of the Under Secretary of State for India occupied three hours and a-half out of the five hours. His own remarks occupied the end of the sitting, and were unfinished at the Adjournment; and when the House resumed, but for the accident that the Amendments to the Licensing Bill had not been printed, there would have been only a speech and a-half upon the Indian Budget, and there would not have been any other opportunity for the conclusion of his own speech, or for any remarks by the 15 or 20 other hon. Gentlemen who wished to take part in the discussion. Such a state of things was a scandal, and it produced the worst possible impression in India. He was speaking within the mark when he said that he had received ten times as many letters respecting the way in which the discussion on the Indian Budget was treated last year than he had on any other subject connected with the affairs of that great Dependency. The right hon. Gentleman said the discussion on the Indian Budget was not practically operative like a Bill. In one sense this was true, but in another sense it was far from true. Many Bills produced no practical effect, whereas every moment given to the affairs of India produced results of the highest importance, and was warmly appreciated by the people of India. Parliament had no power to alter the Indian Budget, nevertheless, the people of India looked to Parliament as the final arbiter of their destinies, and they knew that if in a full House a strong opinion was expressed upon a tax or upon expenditure, no Secretary of State or Governor General could disregard such an opinion. He hoped his hon. Friend would not be satisfied with the promise which had been given to him by the Prime Minister, and which, no doubt, would be faithfully carried out so far as this Session was concerned. He hoped his hon. Friend would ask the House to express its opinion on this Motion. Let the House, at any rate, tell the people of India that if the Indian Budget should again be brought forward at the fag-end of a Session at a morning sitting the independent Members could point to a Resolution which they had put on the records of the House for the purpose of protesting against the Indian Budget being brought forward at a period of the Session when it was impossible that the important matters it contained could be adequately discussed, or the affairs of our great dependency could be treated with that respect which they so eminently deserved.

Mr. GRANT DUFF said, the hon. Member who had just sat down had repeated a statement which he had heard before, and which he felt it his duty to correct. The hon. Member had said that in laying the Indian Budget before the House in August last, he (Mr. Grant Duff) spoke three hours and a-half. Now, the truth of the matter was that he rose a few minutes after 3 o'clock and sat down a little after 5 o'clock, and during about half-an-hour of the time, between 3 and 5 o'clock, the House was in attendance in "another place" while the Royal Assent was being given to Bills; so that, instead of speaking three hours and a-half, he spoke very little more, if more, than an hour and a-half. When the hon. Member for Brighton complained that the promise given by the Government, in 1870, that the Indian Budget should be brought in earlier in 1871 was not kept, he must have forgotten that on the 24th of February in the year 1871, he (Mr. Grant Duff) did make a statement, although it was impossible at that early period to lay before the House exactly what was known as the Indian Budget. If it were possible, the Representative of the Indian Government in the House of Commons would wish to bring forward the Indian Budget about the second or third week of June; but it had been proved again and again by the experience of every Administration that had ever existed since there was an Indian Budget, that the House would not, under any consideration, give up a day at that time for the discussion of Indian affairs unless they were of the greatest possible urgency, such as those which occurred in 1857. The Government, therefore, had these alternatives —either they must bring forward the Indian Budget early in the Session, as they did in 1871, with imperfect documents, or they must bring it forward as they did now at the end of the Session. The only other course was to alter the Indian financial year. But any change would cause considerable inconvenience; and the only practical course seemed to be to adopt the suggestion for referring the matter to the Financial Committee now sitting. They would be able to examine a former Viceroy, two finance Ministers, and other witnesses, and, doubtless, would be able to make some reasonable proposition to the House.

Mr. R. N. FOWLER said, he could not accept the proposition of the right hon. Gentleman at the head of the Government, because they must have regard not merely to the present year but to the action of future Governments, and as he thought those who felt strongly upon the subject ought to protest against the present system, he must press his Motion to a division.

Question put.

The House *divided*:—Ayes 89; Noes 130: Majority 41.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Ordered, That it be an Instruction to the Select Committee on East India Finance to consider and report whether the Indian Financial year which now terminates on the 31st March, should be altered to the year ending on the 31st December, in order that the Secretary of State for India may be enabled to make his Financial Statement to the House before the Easter Recess.

VALUATION DEPARTMENT (IRELAND).

RESOLUTION.

The O'CONOR DON rose to call attention to the evidence of the Commissioners of Valuation in Ireland which had been given before a Committee of that House, and to move a Resolution to the effect that the present constitution of the Irish Valuation Department was unsatisfactory, and that it was desirable that an experienced and competent officer should be placed at its head. He frankly admitted that his present motion, if carried, would practically be a Vote of Censure on the gentleman at the head of the Irish Valuation Department. Mr, Greene, the individual to whom he referred, had been examined before a Committee of that House, and the evidence he had then given had proved him not to be a fit person to be at the head of an important public Department. When he had brought this subject under the notice of the House two years ago the right hon. Gentleman the Secretary of the Treasury (Mr. Baxter) admitted that various abuses existed in relation to it—that counties had been wrongly charged, that the expenditure in the office was extravagant, that there was no efficient control over it, and that the accounts were in a muddle. The right hon. Gentleman, while refusing to assent to the re-appointment of the Committee to inquire into the matter which was then asked for, had promised to take steps to bring about a reform in the Department, but that promise had not been fulfilled, nor was it possible with the present administration of the office. Mr. Greene, who had been for 23 years the practical head of the Department, had been unable to give any detailed evidence before the Committee as to the principle upon which the Townland valuation had been conducted; and he admitted that although the whole of Ireland, with the exception of six counties, had been valued during the time he was in office, he had never read the Townland Valuation Act. The result of the mismanagement of the service up to the present was that instead of the valuation costing one half-penny per acre, the amount of the original estimate, it had cost 6*d.* per acre, altogether amounting to £325,000, which had to be paid by the counties of Ireland. His right hon. Friend, in introducing his Bill the other evening, stated that a new valuation was necessary in Ireland, because the old had been made at a time when taxes were very high. It was the fact, however, that the taxes had never in any regular form affected the valuation. The evidence of the Commissioner on this point was confused, contradictory, and unintelligible, and in support of his statement that the rate of local taxation had been deducted from the gross value, he was unable to adduce any documentary proof. His right hon. Friend went on to say that the new valuation would apply only to three Provinces; but why a distinction was to be made between Ulster and the rest of Ireland he was at a loss to know. The statements of the Commissioner of Valuations on the subject betrayed, he thought, an extraordinary want of knowledge. But there was a more serious charge against him. There was in Ireland each year what was called a revision of the valuation, which consisted in ascertaining the change of occupancy in the land between one year and another. That work of revision cost £25,000, but on investigation before the Committee it turned out that only about £10,000 or £12,000 of that sum was spent in payment of the salaries and expenses in each union for carrying on the revision, and providing the necessary lists and maps; that was to say, for carrying on almost the entire work. That being so, the question naturally arose, what was done with the remaining £13,000 Mr. Greene said it went in office expenditure, and he entered into an explanation of a course of proceeding which really had no existence. He said that the revising officers who were sent to each union did very little work—that they merely marked on the maps the lines of the new boundaries, and that the necessary details had to be obtained in the office in Dublin by reference to old books and maps—a course which involved considerable labour and expense. The House would hardly believe that the whole of this course of proceeding was purely imaginary. The revising officers did themselves actually perform all the work of the revision in the country, and there were no rules then in existence requiring them to transmit the information to the Dublin Office in order to have the results worked out there. But what did Mr. Greene do after giving his evidence before the Committee? He went over to Dublin and altered the rules previously existing, in order to make them correspond with his evidence. Next year he came before the Committee again, and without a word of explanation he handed in the altered rules, which required that the work should be done in Dublin, and they were now to be found in an appendix to the Report. This was most extraordinary conduct on the part of the head of any public Department. If that was to go on without censure, or such a man to be continued in his duties as valuator, his (The O'Conor Don's) troubling the House would have only been so much lost time. It was unnecessary to enter into further details of the extraordinary mismanagement of the present head of that public Department; but he might remark that an able officer who was sent over from the Treasury to Dublin to investigate the accounts found them in such a state that he could make nothing of them. In conclusion, he felt it right to call attention to that subject before the new Valuation Bill for Ireland came on, and he therefore begged to move the Resolution of which he had given Notice.

Colonel FRENCH seconded the Motion, and expressed his opinion that further inquiries were necessary for the elucidation of this question. As far as he had gone, if the Report had been allowed to be made he was perfectly prepared that none of the head officers should have been allowed to remain in office. At the same time he thought the blame ought not so much to attach to Mr. Greene as to the successive Governments which had originated and perpetuated the whole of the system complained of.

Motion made, and Question proposed,

"That the present constitution of the Irish Valuation Department is unsatisfactory, and that it is desirable that an experienced and competent officer be placed at its head."—(*The O' Conor Don.*)

Mr. BAXTER said, he regretted very much that the hon. Member for Roscommon (The O'Conor Don) had thought it his duty to rake up the ashes of this old controversy, and to bring before the House a squabble of a personal nature which he had thought was dead and buried in the archives of the Committee. As he admitted in the discussion two years ago, no doubt many things were done on false principles in former times, but all that had since been remedied. Mr. Vine, than whom no more competent and fearless officer could have been sent over by the Treasury to investigate the matter, found defects in the former system of keeping the books which could not be defended; but he stated that the Government would commit a great mistake if they parted with Mr. Greene, the present head of the Valuation Board. He had no interest except in getting the best man for the place. His hon. Friend had called upon him and asked him to look into the question of the management of the office. He had accordingly gone over the Report of the Committee, he had got the best information possible, and communicated with gentlemen far and wide, in whose judgment he placed the greatest reliance, and the result was that the opinion he had come to was very different from that of his hon. Friend. The present First Commissioner of Works, moreover, a Member of the Select Committee, while recognizing errors in management such as an experienced financier like Mr. Vine could point out, held that the Department had been honestly and efficiently conducted, and that the charges had not been proved. The President of the Local Government Board had come to the same conclusion, these opinions forming *primâ facie* ground for holding that Mr. Greene could not be so incompetent an officer as he had been represented. As to the alleged promise of the Government to make a reform, what he stated on a former occasion was that they had in preparation a Bill for the re-valuation of Ireland, and that it would be necessary to consider what changes in the Department were necessary. This promise had been performed this Session by the introduction of that Bill, which proposed the appointment of an Assistant Commissioner to assist Mr. Greene. Mr. Greene's evidence before the Committee had been described as confused and contradictory, but the questions put to him went back 40 years, and some of them would have puzzled Sir Richard Griffith, and it was easy to make a witness appear in an unfavourable light, especially if he was rather nervous and excited, and unusually anxious to do his duty. When two years ago the hon. Member renewed his Motion for a Committee, the Members of the original Committee deprecated the re-opening of the question, informing him that they had never been so bored in their lives; and that though Mr. Greene might have occasionally given confused answers, they deemed him a straightforward, honest man. The hon. Member for Londonderry (Sir F. Heygate) who had gone upon the Committee, expecting to ascertain the principle on which the valuation of Ireland was conducted, had stated that the whole time of the Committee was taken up in investigating personal complaints and charges, some of them of the most trivial kind. They were preferred by a few retired clerks, whose evidence was in the teeth of that given by their chief, and who, in 1865 and again in 1868, addressed Mr. Greene in terms of fulsome adulation, declaring his appointment the highest compliment that could have been paid to the Department. Mr. Greene was chosen as his assistant by Sir Richard Griffith, a distinguished man who held the Commissionership till 84 years of age, and was one of the most remarkable men living. He (Mr. Greene) began life as apprentice to an eminent firm of valuers, was employed by Mr. Brunel in valuing the Great Western Railway, and had been unanimously elected President of the Institution of Civil Engineers in Ireland. The testimony, moreover, before the Committee of the agents of Lord Lansdowne and Lord Pembroke was quite contrary to that of the retiring clerks. The hon. Member for Roscommon had sent circulars over Ireland respecting the state of the Board, and he had been favoured with an account of some of the meetings which had considered the matter. At Armagh the Board of Guardians refused to entertain the proposition contained in the circular, which was denounced by a resolution as an unwarrantable attack on the Commission dictated by political motives. At Tralee not a singe Guardian took up the Petition; and at Downpatrick the same thing occurred. Inquiries conducted through official and private friends led to a like conclusion, and the testimony was unanimous on all hands that Mr. Greene was an excellent public servant. On these grounds he (Mr. Baxter) hoped the House would not adopt the Motion.

Mr. HUNT said, he could corroborate the statement of the right hon. Gentleman who had just spoken, that a greater waste of time had never fallen to the lot of any gentlemen belonging to the House than had been experienced on that Committee. The chief portion of the Committee's time was occupied in making investigations into the most trumpery charges ever brought against a public servant. The witnesses had been either discarded or had ceased to be employed, and the Committee utterly disregarded their statements. The one thing which the Committee did find out was that in the very intricate calculations necessary to distribute the proportion between the Treasury and the different counties, some irregularities had been committed, which it was impossible for the Committee to unravel, and which were remitted to Mr. Vine to investigate. The Committee required that securities should be devised for preventing such irregularities in future. It was quite true that Mr. Greene had been confused in some of his answers before the Committee, which was a common enough thing with gentlemen of the most unquestioned integrity, who were subjected to a keen cross-examination before a Committee of this House, but the hon. Gentleman the Member for Roscommon, who was on the Committee, had not ventured at the end of the inquiry to submit any resolutions condemnatory of Mr. Greene or any other person or procedure.

The O'CONOR DON said he had proposed a series of Resolutions which were carried by a majority of one in Committee.

Mr. HUNT quoted the Report to show that the hon. Member had not at the conclusion of the inquiry moved Resolutions condemning Mr. Greene or any one else. In fact nothing occurred in the Committee in the least impugning the honour or capacity of Mr. Greene, and his impression was that he was the right man in the right place.

Mr. M'CARTHY DOWNING said, that the right hon. Gentleman who had just sat down had forgotten a portion of the evidence which was very material. One of the principal parties in the office, Mr. Irwin, who had been sent to Bandon to revise the list of electors, read a letter to another party who had to come into the town also for the purpose of revision, and desired him to put himself in communication with the solicitor who represented the Conservative party. He did so, and the result was that several valuations of those who were Liberal electors were reduced by some 5*s*. or 10*s*., with the view of removing them from the roll, and an addition was made to some on the Conservative side for the purpose of giving them a vote. A representation was made to the office, and he was removed from the district with a reprimand and sent to the North of Ireland. He was subsequently promoted in the office, although he had been declared during the Dublin election inquiry to have been guilty of bribery. That was not an unimportant matter. Mr. Greene was as bad a witness as he had ever cross-examined, and his examination showed that he was ignorant of some of the principal duties of his office; besides there was strong evidence that he had been a promoter of an Orange lodge, which was an improper proceeding on the part of a public officer. It was too much to be told that there were no grounds for the imputation brought forward. In his opinion there were grounds, and there was very great dissatisfaction in Ireland upon the subject.

Dr. BALL said he had listened carefully to his hon. Friend opposite (The O'Conor Don), but he had failed to discover that he had brought forward a single tangible charge against the office in question. Mr. Greene had only been at the head of the Valuation Office since 1868, and therefore it was unfair to call upon him to answer charges of the most remote antiquity—as far back as 40 years. In one instance the matter about which Mr. Greene was called upon for explanations occurred, as he stated, when he was only six years old. Knowing from the practice of the Courts what was the reputation of the Valuation Office in Ireland, he wished to give his unqualified testimony as to the general confidence reposed in it. It was quite true that the plans on which the Valuation of Ireland had been carried out were not uniform. In his circuit, for instance, it was perfectly well known that Griffith's valuation was 25 per cent under the letting value, while in the North of Ireland it was very near the value. But that created no inconvenience, because the principle on which the valuation had been conducted in each case was well understood. All the Office originally aimed at was that within a given union the plan of rating should be the same, so that one man should not be taxed more than another, but it was never laid down that it should be uniform all over the Island. The fact was that the valuations were made under different rules and at different times, and therefore it was that they required to be revised. He wished also to add that so distinguished a servant as the late Lord Mayo, when Secretary for Ireland, and thus having ample opportunity to judge, had expressed to him (Dr. Ball) the highest opinion of the value of Mr. Greene as a public official.

Mr. AYRTON wished to make one or two observations, having sat upon the Committee as the representative of the Treasury, and also to correct an error into which the hon. Member for Roscommon (The O'Conor Don) had fallen when he stated that he had made charges against Mr. Greene which had been sanctioned in Committee by a majority of one. The general impression made on his mind, after hearing all the evidence was that Mr. Greene in speaking of the proceedings of his office, naturally gave his views of what was present to his own mind as to the duties which the officers ought to perform. It was found, however, that there was a great variation in the mode in which the officers, who were employed in all parts of the country had conducted their duties, and that some of them had not acted in the manner in which Mr. Greene supposed was the regular order of proceeding. His hon. Friend (The O'Conor Don) had done injustice to himself in the course he had taken, because he had led the House to suppose that he entered into the question too much with a desire to impugn the character of Mr. Greene, and had forgotten the services which he himself rendered to Ireland in the conduct of this Committee. With regard to the main purpose for which this Committee was appointed, his hon. Friends rendered considerable service in calling attention to the manner in which the valuation ought to be conducted in certain parts of the country, which had led to important results, and, in fact, he had laid the foundation for the measure introduced this Session by his right hon. Friend the Secretary of the Treasury. He (Mr. Ayrton) should therefore be very sorry to see the hon. Member's efforts diminished in their usefulness by his drawing attention to the very trifling matter which arose during the course of the inquiry. The proceedings in no way impugned the integrity of Mr. Greene, but rather the mode adopted by the Irish Administration for many years past. The explanation was simple. It had been the practice of the Government to ask Sir Richard Griffith to prepare for them a variety of statistical information respecting the character of the holdings in Ireland, as he was best able to give as head of the Valuation Office. Sir Richard Griffith performed those services from time to time, and further considered it his duty to allocate the cost of all those services as part of the business of his office. That was an error which was explained by Mr. Greene, and he then told the Committee he was satisfied those accounts could only be unravelled by an accountant. The right hon. Gentleman (Mr. Hunt) thereupon formalized Resolutions on the subject which the Committee unanimously adopted. His hon. Friend (The O'Conor Don) subsequently proposed certain Resolutions affecting the characters of Sir Richard Griffith and Mr. Greene; but he (Mr. Ayrton) pointed out to the Committee that there was no sufficient evidence to sustain them, and it was resolved they should not be taken into consideration until after hearing such further evidence as the Committee shall determine to receive. The hon. Gentleman would see that he was in error in saying the Resolution was adopted by the Committee, for on the contrary, they took further evidence, and he recollected very well the astonishment of the Committee when they heard the complete answer which was given on the points raised by his hon. Friend. So well satisfied were the Committee with the explanations, and so thoroughly did they understand that they did not impugn the position of Mr. Greene, that it was resolved the Resolution in question should not be printed with the Report lest it should go forth that there was some ground for making these serious charges. He was bound to say that Mr. Greene left the Committee with a character altogether unsullied and unimpeached. He was a man of great care and attention in the performance of his duties and was quite fit to be trusted with the supervision of his office. He was told that the office had been reconstituted and the expenditure diminished by something like £5,000 a-year. This showed an efficiency on the part of Mr. Greene which would entitle him rather to the praise than to the condemnation of the House. Sir Richard Griffith might be said to have built up the valuation from the quality of the soil and the great variety of attendant circumstances, and so to come to what he called an absolute standard of value. But there was no such standard. The only standard was what a man would give for the land as tenant. Therefore the errors were not in any way to be attributed to Mr. Greene, who had only acted upon instructions carefully drawn up.

Mr. HERON said, he had known Mr. Greene since 1868, and he was enabled to give an unbiassed opinion in favour of his competency, experience, and integrity in the management of the business of his office. He had no hesitation in saying that Mr. Greene was a most competent and efficient officer. He was surprised that anything like a Vote of Censure should have been moved, and if the hon. Member for Roscommon went to a Division he would vote against him.

Mr. VANCE also bore testimony to the high character and efficiency of Mr. Greene. He had only been six months in office when this Committee was appointed to inquire more into the transactions of the office than into Mr. Greene's own conduct. The charges against Mr. Greene himself had been sustained by the evidence of dismissed servants and by others who had previously subscribed to a testimonial, which he had, however, declined to accept. He hoped the House would not entertain this Vote of Censure, which would affect Sir Richard Griffith quite as much as Mr. Greene—both most deserving public officers, who had performed a work of the utmost importance in Ireland.

The O'CONOR DON, in reply, begged to say his charges against Mr. Greene had not been founded on his confused statements, but on his positive mis-statements before the Committee. By the time the Committee had finished the evidence it was so late in the Session that it was impossible to get Members to stay in town to consider the Report. The Committee therefore agreed with a proposal made by the right hon. Gentleman (Mr. Hunt) that after the inquiry to be instituted by the Treasury Commissioner the Committee should re-assemble in the following Session. The Treasury, however, after that inquiry, refused to re-appoint the Committee. He begged to disclaim all personal hostility against Mr. Greene, and had only taken up this question on public grounds. All he desired was that the re-valuation of Ireland which was about to be made should be in competent hands. It was useless to divide the House against the Government, and he would not therefore press his Motion to a Division.

Question put, and *negatived.*

TAXES ON LOCOMOTION.

RESOLUTION.

Mr. LAING rose to move—

"That, in the opinion of this House, Taxes on the means of Locomotion are opposed to public policy, and should be repealed at the earliest opportunity."

In bringing forward this subject he desired, in the first place, to defend himself from the charge of bringing forward an abstract resolution with the mere view of obtaining popular applause. In moving for the repeal of any tax the Mover was bound to show either that there was a surplus or else that there was an available substitute for the tax sought to be repealed. The object of his Motion was precise and definite; it was to repeal taxes, which in the aggregate amounted to about £1,500,000 sterling per annum. Taxes on locomotion consisted — first, of that on railway passengers, which amounted in the year 1872 to £527,560; secondly, the licence duty on horses, £451,143; and thirdly, the duty on carriages, £524,593, making a total of £1,503,704. The question which had at the outset to be considered was whether the reduction of £1,500,000 in the taxation of the country was within the reach of the present state ofthe finances without the necessity of imposing some substitute. Upon that point there could be no doubt whatever. The Revenue accounts for the past financial year showed a surplus of £5,000,000 Assuming that the same taxes were to be collected during the ensuing year as had been collected in the past year, there would be a surplus of £5,000,000 for the ensuing year, that would show a surplus of ordinary revenue over ordinary expenditure for the two financial years of £10,000,000. Deducting from this the indemnity charge for the Alabama claims with interest, set down at £3,250,000, there would remain a surplus of £6,500,000. But against that must be reckoned £2,500,000, included in the ordinary expenditure of the year in the form of terminable annuities, which was really a surplus income applied in the reduction of the National Debt, and which, in two years, would amount to £5,000,000, so that a surplus would appear of not less than £11,000,000 or £12,000,000, after deducting the payment of the Alabama indemnity. It would be entirely contrary to the precedents set by our greatest financiers of modern times to apply the whole of this large sum towards the payment of the National Debt. The policy of Sir Robert Peel and of the right hon. Gentleman at the head of the Government had always been to lighten as far as possible the restrictions upon the springs of trade, and to confine the payments on account of our National Debt to moderate dimensions. At the expiration of the late terminable annuities the House made provision for the special application of £2,500,000 a-year to the reduction of the National Debt. That was a compromise between the extreme opinions of those who maintained that extraordinary efforts should be made for the reduction of the National Debt, and of those who held that to raise money by taxation for the purpose of investing it at 3¼ per cent, which was what they did when they reduced debt, was bad policy. He thought, therefore, that ample provision had been made towards the reduction of the Debt. Deducting the sum required to meet the Alabama Indemnity, the surplus remaining of the two years at least would be £6,500,000, while the surplus of the current year would certainly not be less than £3,000,000. The amount of taxation, therefore, the repeal of which he sought was perfectly within the reach of the ascertained surplus of the coming financial year. The appeal which he made stood in a totally different class from appeals made for the total abolition of the income tax and the malt tax. Those branches of taxation could not be repealed without an alteration of our financial policy, and the finding of fresh forms of taxation. On the other hand, this tax could be at once removed without any necessity arising for any substituted tax. He could approach the question, therefore, on its merits, unimpeded by the objections which applied to a mere abstract Resolution. As regarded locomotion generally, he asked was there anything in the history of modern civilization which had been or was of more material importance. The application of steam for the purposes of locomotion had furnished one of the greatest civilizing elements of modern times. So long as the means of locomotion were expensive it was the monopoly of the higher class; the lower class were left in the condition of serfs, being tied down to the soil on which they lived. But the modern facilities of locomotion had changed this condition, and been a potent instrument for the extension of industry and wealth. To what an extent these facilities had been availed of was shown by the single fact that the passengers conveyed by railway in one year amounted to the enormous total of 360,000,000, and when he said that the average receipt from each passenger was only 1*s*. 6*d*. he thought he sufficiently proved that the means of locomotion was no longer an attribute of the wealthy. Could this taxation on locomotion be reconciled with those great principles of financial policy, which for the last 30 years had so largely prevailed in this country? In 1842, the great financial reformer, Sir Robert Peel, laid down the principle of lightening taxation upon all branches of industry—that nothing should be taxed, so to say, at its source; that there should be no tax on raw materials, on tools, or trade—no tax, in short, on that which went towards the production of wealth and the encouragement of industry. The response which followed the carrying out of that policy was immediate and remarkable. As fast as taxes were taken off the revenue was found to increase. Since 1856, £27,000,000 of taxation had been removed, and yet the revenue was now £10,000,000 greater than when the reduction of taxation began. He asked whether in the modern state of industry in this country the means of locomotion did not rank with taxes on raw materials, and whether the means of personal locomotion were not necessary and essential to the transacting of business, and therefore to the accumulating of wealth. Of the 360,000,000 passengers carried in a year, the enormous majority moved for the purpose, not of pleasure, but of business. The horse and gig took the farmer to fair and market, and were as essential a part of his stock in trade as his plough was. A vast amount of the business of the country depended on the facilities of locomotion, by which the merchant was brought in contact with the manufacturer, and the agricultural labourer from the South was enabled to seek employment in the North, or wherever else there was a demand for labour. In fact, locomotion was one of the primary and essential elements in the production of modern wealth. If he required authority in support of his Motion, he could quote a high one—that of the right hon. Gentleman the Chancellor of the Exchequer, who, in his Budget speech of 1869, in taking off taxes on locomotion, said—"They have been given up by default long ago. It has always been admitted that whenever they could be reduced or remitted they ought to be." That time, he submitted, had now arrived. £1,500,000 would clear the statute book of every vestige of the tax, while a principle would be carried out which had not been merely vaguely enunciated, but had been acted upon; for the mileage duty on stage coaches and omnibuses had been reduced four times and repealed altogether in 1869. The tax he now sought to have removed was not only flagrantly unjust, but was also anomalous. Why should passengers proceeding by steamboat or omnibus from Westminster to London Bridge be carried free of duty, while if they proceeded by railway they would be subject to duty? He would proceed to deal with taxes which formed the last remnant of the burdens on locomotion. In 1832, when the tax on railway passenger traffic was imposed, there was a heavy duty on stage carriages and post-horses, and a halfpenny duty per mile was imposed for every two passengers conveyed by post-horses. Naturally, therefore, a corresponding duty was imposed upon passengers conveyed upon railways. At that time railway fares averaged more than 3*d*. per mile, and from London to Birmingham there was no third-class. The tax then averaged something under 4 per cent upon the gross fares. In 1842 the stage carriage duty was reduced by one-half; and the railway duty was commuted to 5 per cent upon the gross receipts from passengers—a rate at which it now remained. In 1844 the Cheap Train Act was passed, with the wise policy of inducing Railway Companies to provide cheap locomotion for the poorer classes. By that Act Railway Companies were compelled to run one cheap train a-day at 1*d*. per mile. The passengers by the trains were exempted from duty; and, in order to encourage the Railway Companies to extend their third class accommodation, Parliament gave a discretionary power to the Board of Trade to sanction trains upon conditions as favourable, or more favourable than the Parliamentary trains, and to exempt the passengers by these trains from duty. Though no alteration had been made in the railway passenger duty since that period, the mileage duty on stage carriages and omnibuses—which were the equivalents or rather the foundation of the railway duties—had since been reduced three times, and in 1869 was repealed altogether. But what was remarkable was that within the last few years a claim had been set up by the Board of Inland Revenue to compel the payment of a duty for third-class passengers, with the exception of the compulsory Parliamentary train; though for 16 years it had been assumed that these trains were exempt from duty. Nothing could be more anomalous and absurd than that if you complied literally with the Act of 1842, stopping the train at every station and taking 24 hours in going from London to Scotland, you should be exempt from taxation, while if you afforded a third-class passenger superior accommodation, taking him to Scotland in 12 hours instead of 24, you should pay a tax amounting to 10 per cent upon the net receipts from that passenger. Railway Companies were no lovers of strikes; but if they refused some day to convey third-class passengers from London to Scotland, except in 24 hours, on account of this Government duty, no Government could withstand such a pressure as would be put upon them. It was well for the Government that they had to deal with a body who were averse from strikes, and were not likely, therefore, to resort to such an extremity. He appealed, however, to the fairness of the Government whether, because Railway Companies bore a good deal of squeezing, that therefore they should be mulcted and compelled to submit to so monstrous an injustice. Take the case of the metropolitan traffic as an instance of the unequal working of the existing system. If passengers went by tramway the amount of taxation on every £100 of gross revenue amounted on the average to 1*s.* 1½*d.* If they went by omnibus the percentage of taxation on gross revenue was 17*s.* 7*d.* If they went by steamer there was no duty. But by railway under the former construction of the law the percentage of taxation on gross revenue would be £2 13*s.*; and under the construction contended for by the Commissioners the tax would be £5. Was it right that railway proprietors should be treated almost as outlaws—at all events, should be put in a worse position than other people—for having constructed the railway system of the United Kingdom at their own risk, and frequently at their own loss? Five per cent on the gross passenger traffic was equivalent to 10 per cent on the net traffic; and, supposing one half the revenue of railways to accrue from passengers and one half from goods, the duty would amount to 5 per cent on the total net income of a railway. But the whole of this tax fell upon ordinary shareholders, whereas half the railway capital consisted of debenture and loan capital, so that again raised the duty to one of 10 per cent upon the income derived from their investments by ordinary shareholders. Nor was this all, because railway proprietors paid not only this excessive amount of Imperial taxation, but an excessive amount of local taxation. They paid 2*s.* in the pound for Imperial taxation and 3*s.* in the pound for local taxation, though railways imposed no burden on the poor rates, but gave employment and so relieved the rates. This, however, was another question affecting railways. The duty pressed with peculiar hardship upon a great many Railway Companies which were in a comparatively poor condition. The Metropolitan Railway Company, and many other Railway Companies in the neighbourhood of London, which were carrying large masses of the people at low rates, were, owing to exceptional circumstances, in comparatively poor circumstances, and were paying to their shareholders miserable dividends, or no dividends at all. It was entirely untrue, and a most narrow view of the case, to suppose that Railway shareholders were alone interested in this question. He contended that the public had an immediate interest in this question, as well as Railway proprietors. He believed that all Railway Companies had the power of adding the Government duty to the passenger fare. In some cases they did so. A repeal of the duty would therefore be of immediate advantage to the public. The shareholders in a great number of Railway Companies were carrying on an agitation for an increase of fares in consequence of the enormous increase of the working expenses to which they were subjected. All experience showed that the public would get the full benefit of any prosperity which might befall the Railways; indeed, he thought that the public had already had the lion's share of the advantage which had resulted. When this duty was first imposed the average charge per mile to passengers throughout the kingdom was about 3*d.*; it was now little more than 1*d.* At that time third-class passengers were almost unknown, and when the directors were compelled to run a single train at 1*d.* per mile daily this was looked upon almost as an innovation which would ruin the railways; but now the trains which did not carry third-class passengers were an exception to the rule, and in a great many cases third-class passengers were carried at a rate very much lower than 1*d.* per mile. Only the other day, Mr. Knight, the General Manager of the Brighton Railway, with which he (Mr. Laing) was connected, said that if the Passenger Duty were abolished he would recommend the Board of that Company to have only two classes of carriages—that was to say, to make the third-class into second-class, and the second-class into first, with regard to accommodation; but to make a downward move as regarded the fares — that is, to reduce the fares of the first-class to the level of the second class, and the fares of the second-class to the level of the third. If changes of this character were doubtful, nothing could be easier than to make them conditions of the removal of the duty, so as to secure these and similar advantages to the public. He did not make the Motion in the interest principally of Railways, but for the general public. His experience had satisfied him that the interests of the two were identical, and if the Railway Companies obtained this boon and did not fully share it with the public they would be defeating their own objects; but he believed that if this duty were abolished, not more than six months would elapse before reductions of that sort would be made by the majority of the Railway Companies. The next important branch of the subject related to the tax on horses. The Chancellor of the Exchequer had admitted that the horse was the very life and soul of locomotion. It was essential to the carrying on of the work of a farmer. The tax upon horses was unjustifiable, like the tax upon passenger traffic. It prevented the rearing of horses as much as the malt tax limited the growth of barley. While we were groaning over the deficient supply of horses, and wondering whether in the event of a war we should be able to obtain a sufficient number of horses for our cavalry or our artillery, we were laying a tax upon horses which amounted to 10 per cent upon their value. The other, and last branch of taxation on locomotion, was that of wheeled carriages. Four-wheeled carriages were subject to a duty two guineas, and two-wheeled carriages and a certain class of small four-wheeled carriages were subject to a tax of 15*s.* The total produce from this source amounted to £524,993. A large number of these vehicles constituted what might be termed the daily necessaries of a large class of the community. Farmers, tradesmen, clerks, and others in business could not pursue their vocations without the use of gigs, carts, cabs, and omnibuses; and women of the middle, the lower middle, and the working classes, were almost entirely dependent on flys and omnibuses in getting from one part of a large town to another. Thus it would be seen that thousands of our population were obliged to avail themselves of the cheap mode of travelling afforded by these vehicles. One great anomaly of this tax was that it did not extend to Ireland. The principle of our present system of finance was to assimilate, as far as possible, the taxation of the two countries, and he warned all Irish Members that unless they assisted him to repeal this tax for England it would before very long be extended to Ireland. It was a striking instance of the evil of this impost, that while it was almost impossible to obtain a conveyance at many of our provincial railway stations, at every small railway station in Ireland there were always plenty of cars and other vehicles to be had. There were, however, other anomalies connected with this tax. For instance, in the County which he had the honour to represent about half the farmers lived in islands, and in attending markets they used their boats, on which no tax was levied; whereas the other half of them, who lived on the mainland, had to use horses and carts or gigs, for which they were heavily taxed. The inconvenience of the tax had been admitted when the 32 & 33 *Vict.* was passed, which permitted the farmer to use his horse for the purpose of attending Divine service; but if horses were exempt from tax when used in conveying a man's family to a place of Divine worship, why should they not be exempt also in many other instances, such as fetching the doctor for a sick wife, or some other member of the family? It was one of the signs of a bad tax that it always bristled with exceptions and anomalies, and occasioned a great deal of vexation and annoyance in comparison with the small amount of money it brought in. The Commissioners of Inland Revenue, in their last Report, said that the licence duties, like all direct taxes, were more troublesome, both to those who collected and those who paid them, than were indirect taxes. It was quite certain that the frequent surcharges in respect of this tax rendered it exceedingly burdensome to farmers, who were continually called upon to pay fines for having unknowingly transgressed the law in the use of their horses and carts. The only objection to this part of his Motion appeared to him to be the fact that a number of persons kept horses and carriages for pleasure and amusement, but the number was so small compared with the total, and it was not worth while, for the sake of the small sum that the rich were compelled to pay in respect to their vehicles and horses, to preserve such an obnoxious tax, especially as in 1869 the Chancellor of the Exchequer abolished the distinction between horses kept for pleasure and horses kept for trade. This was now a great opportunity for the Government, which he hoped they would embrace, to perfect the great reform in our financial system which had been commenced by Sir Robert Peel in 1842, and which had been continued by the right hon. Gentleman at the head of the Government, and there appeared to be but one step more required to crown the edifice by relieving locomotion from all taxation and making it as free as the bread we eat and the air we breathe. The number of horse licences was 840,847, and that of carriage licences 422,597, while the number of railway shareholders, according to an approximate estimate, based on the number of shareholders in proportion to capital on several lines, was about 300,000. 1,500,000 persons would therefore be directly benefited by this moderate remission of taxation. He did not mention this as showing, with elections in prospective, the fair popularity which would attend the measure, for in framing our financial system higher considerations than immediate popularity should be looked to. To a certain class of minds unpopularity might seem to recommend a thing, but our financiers should guard against this error, for while there was an unsound popularity to be gained by remissions made with a view to court applause, there was a sound popularity which sprang from a remission affecting a large and important section of the community. He mentioned the 1,500,000 persons, therefore, as showing how wide the area of relief would be, rather than its popularity. The principle of freeing locomotion from taxes was laid down by the Chancellor of the Exchequer in his Budget speech of 1869, and to him, therefore, would belong the greater part of the credit if it were now accomplished. He presented himself in no spirit of antagonism to the Government, but he hoped the right hon. Gentleman would be able to give him an assurance which would obviate the necessity of pressing the Motion, but, failing this, he was so confident in the soundness of the principle and in its immediate practicability, that he should do his best to carry it, feeling that he should be doing the Chancellor of the Exchequer a service in coupling, with or without his consent, the name of Lowe with free locomotion. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

MR. GREGORY said, the hon. Gentleman the Member for Orkney (Mr. Laing) proposed by this Resolution to spirit away a considerable amount of the money which was supposed to be at the disposal of the Chancellor of the Exchequer, and for one object only. It was generally the case that an expected surplus evoked plenty of claimants. He did not consider this an agricultural question or that the hon. Member had a right to ask for the support of the farmers on this question as one affecting their interests. The tax on horses only remotely concerned them, animals employed in agriculture being exempt, while there was no great injustice in a moderate tax on horses kept for luxury or locomotion. It was true that some years ago the Chancellor of the Exchequer admitted the principle of reducing the taxes on horses employed in locomotion and anticipated the benefits which would arise from horses being employed in the conveyance of persons to and from stations, and in drawing conveyances used by the public. But he did not think that the public had obtained cheaper or better conveyances, or that any great improvement had taken place in them so as to lead to a desire for an extension of the policy which the right hon. Gentleman had recommended. The Motion was in reality an appeal to the Chancellor of the Exchequer in favour of railway locomotion only. It was a Motion in the interest of railway companies and railway proprietors. The hon. Gentleman anticipated great benefits from its adoption, but what guarantee did he offer that there should be benefits to the public. He trusted the House would not be led away by any conversation which might have passed between the Chairman of the Brighton Company and its traffic manager, who held out certain improvements as likely to result from this remission. Traffic managers were given to large and vague statements, and had sometimes induced Parliamentary Committees to sanction schemes by the results which they had held out; but he hoped that the House would not be influenced by them. The Motion itself embodied nothing of the kind. It pledged the House to a simple repeal of the taxes on locomotion. Now, who was to have the benefit of the proposed remission? Why, in the first instance, the Railway Companies would derive the benefit. And how, he should like to know, was it to be brought out of their pockets for the benefit of the public? He admitted that railways had given great facilities to trade and commerce. But there was another side of the question. Railway proprietors complained that they did not receive that amount of remuneration to which they were entitled. But they forgot that a great deal of the money that had been laid out had been wastefully expended, that they had made lines which they ought not to have made, and entered into contests and waged war with other companies when they ought not to have done so. The late Mr. Robert Stephenson, indeed, told him during a severe contest between the Brighton and South-Eastern Companies, that £500,000 had been already expended in it, and that he could have stopped all this but for the temper of three men on each side. He feared that temper accounted for much foolish expenditure, and inadequate dividends therefore formed no ground for abolishing this tax.

General Sir GEORGE BALFOUR seconded the Motion on the broad ground that any measure which cheapened locomotion would confer a great advantage on the country. In support of the present proposal, he quoted the Report of a Select Committee of that House, which inquired about a third of a century ago into the subject of taxation on internal communication. That Committee pointed out the great evils of the taxation then existing on carriages and horses, showed that Ireland benefited largely by its exemption from such taxation, and suggested that England should enjoy the same advantage. The Committee therefore recommended the abolition of the taxes on horses, public conveyances, and carriages generally, observing that the immediate loss of revenue incident to such a change, would be in great measure compensated by an increased consumption of taxable commodities, while an inequality would be removed, and the comfort and prosperity of a commercial people promoted. That reasoning was equally applicable to the Motion now before the House. England, Scotland, and Wales were subject to a species of taxation from which Ireland was entirely exempt; and he maintained that all parts of the United Kingdom ought to be placed on an equality in that respect. The hon. Member observed that these taxes had been objected to by the right hon. Gentleman the First Lord of the Treasury in his Budget Speech of 1866, and the Commissioners of Inland Revenue had, in 1872, in their 15th Report, pointed out, as explained in the excellent speech of the hon. Member for Orkney, that the whole of the taxes now known as the "Establishment Licences" were troublesome, "both to those who collect them and those who pay them." They further added that—

> "The enormous correspondence is quite disproportionate to the amount of duty collected, and the number of prosecutions found necessary for the maintenance of a revenue of little more than one million and a quarter is 40 or 50 times greater than the number instituted in the same

year in the collection of nine millions and a half —the duty charged in England and Scotland on spirits."

In the same Report the Commissioners pointed out the vexatious consequences of these taxes allowing of exemptions in various ways, for not taking out licences. This recent view of the Inland Board of Revenue was in accord with their 10th Report, issued in 1866, wherein the Commissioners explained that Mr. Gladstone had

> "dwelt at some length upon the taxes on locomotion, and expressed his regret that the surplus at his disposal did not enable him to propose a larger measure of relief from these imposts in their existing form."

No doubt since then changes had been made in these taxes, but they still existed, and in a way which undoubtedly prevented that free movement which so greatly benefited a country; and now that there was such a vast surplus revenue, this was the time to free the country from a kind of taxation which, however suitable for local purposes, was quite unsuitable for Imperial Revenue. And, as before said, the time was opportune to place Great Britain on the same system of taxation as Ireland was, in being exempt from all these taxes. The fact of there being a dog tax in Ireland, and which was collected, not for the Imperial Revenue but for local purposes, was a strong example in favour of the dog tax levied in Great Britain, and included amongst those known as the "Establishment Licences," being given up as an Imperial tax as well as the other licences. This change would also have a most useful effect in settling the question so troublesome to both parties, as to how to adjust the claim of aids from the Exchequer for local expenditure.

Motion made, and Question proposed,

> "That, in the opinion of this House, Taxes on the means of Locomotion are opposed to public policy, and should be repealed at the earliest opportunity."—(*Mr. Laing.*)

The CHANCELLOR of the EXCHEQUER said, it was proverbially easy to make out a case against any tax; and it did not require the great knowledge and financial ability of the hon. Member for Orkney to make a most plausible, and, indeed, a most true case against the taxes which remained upon locomotion. Nothing in the world was so easy as to make out a case against a particular tax, but that was not the way in which the House should look at this question. In all these matters of taxation, they had only a choice of evils; and the only question was whether they would do wisely in following the advice of his hon. Friend the Member for Orkney, by abstracting their minds from any alternative proposal, and fixing them simply on the particular grievance which he had placed before them. One thing his hon. Friend had left out of sight in connection with that tax. There was a peculiarity about railways—which he agreed with the hon. Member for Sussex (Mr. Gregory) was the main question in his hon. Friend's mind—there was a peculiarity about railways which distinguished them from almost all other subjects of taxation, and that was that they possessed a qualified monopoly. The maximum limit of railway charges was so very high—so much higher than those charges actually amounted to—that it really gave the companies a large and undefined power of taxing Her Majesty's subjects. When persons were acting under the pressure of competition, they were kept within very narrow bounds as to what they did. But where that pressure was removed, and the Railway Companies were left to their own discretion, those who complained of these taxes had themselves the power of imposing them; and that not with reference to the terms on which they could afford to do the work, but with reference to the much larger powers they possessed of obtaining the sole property and dominion over portions of the country. That afforded a justification for taxing railways which did not exist in any other case, and the two things ought not to be mixed up together. Even supposing all other taxes on locomotion were removed, there would still be this broad and manifest distinction between them and the taxes on railways,—that all other carriers acted under the most unlimited competition, whereas railways had obtained, by the nature of the case and by the privileges which Parliament had given them, certain local monopolies which enabled them to exact not necessarily equal rates from persons who were similarly situated, but larger rates from some and smaller from others. There seemed to be no fairer subject of taxation, then, than that which had about it the appearance of a monopoly. His hon. Friend had spoken of their relieving 1,500,000 persons by taking off that tax, but that after all was a very small number indeed. It would be very easy, however, to mention a tax the remission of which would relieve, not 1,500,000, but 30,000,000 people. If numbers were to a criterion, though he did not say they were, his hon. Friend had put forward the weak rather than the strong side of that tax. Now, he wished to see all trades and occupations as free as possible from taxation. That was a sound and right principle; but, as he had said, all these things were a choice of evils and of convenience, and it was not a question whether that particular tax was good in itself, but whether it was the one which most strongly called for remission. That was a point which he thought could hardly be decided by a discussion in which attention was necessarily confined to that tax alone, and all others were kept out of view. But there was another point that he wished to submit to the House, and it was this:—On Monday it would be his duty to state to the House the financial proposals of the Government for the coming year. It was certainly the practice and custom of the House—and wisely so, he thought—to leave these matters of difficulty and delicacy to those who were in the habit of looking at them from the position of responsibility and authority which the Members of the Government occupied by having for the time the support of the majority of that House, rather than that they should be taken up by any private Member. They were more likely to have the public interests fairly considered and legislated for by those who were personally responsible for any proposals which might be made than if proposals were brought forward by any private member, however eminent or however qualified to deal with such subjects. Now, if that diminution of taxation which his hon. Friend had urged was a point of his financial scheme on next Monday, it was quite obvious that any interposition of that House would be superfluous and useless. If it was not, it was equally obvious that the House was now asked to pass a judgment on what ought to be the financial policy of the Government without having before it, as it ought to have, the alternatives which they would have to lay before it. The House, therefore, would not now be judging on the case after hearing all the circumstances, and all that could be said on both sides, but would be adopting a particular view, shutting its eyes to all other things, and insisting on taking away responsibility from those on whom the House and the Constitution of the country imposed it. He said that, whatever opinion hon. Members might have about that tax, they would not be acting in a prudent manner if they followed such a course. They would do more wisely to restrain their impatience for six days longer until they heard the proposals of the Government. If those proposals met with their approbation, they could support them. If not, it would be competent for his hon. Friend the Member for Orkney to run his horse against the Government horse. And if his hon. Friend's proposal should be one more worthy of consideration than those of the Government, it would be competent for the House to adopt it. That would be quite fair and open; but he thought it would be full of evil precedent if at a period so very close to the announcement of the financial policy of the year, when it must be understood by all that whatever they were going to do was really determined upon, and arrangements made accordingly, the House would not allow them to propound their policy, but insisted on forcing on them a Resolution like the present, without hearing what they had to say. He might point out that the pecuniary amount at stake was by no means small; it was no less than £1,500,000. That was a considerable sum to dispose of, and the House ought to consider well before they made up their minds to remit a tax which so largely affected the revenue. Although his hon. Friends knew very well that he was by no means unfavourable to the views with regard to locomotion which they had propounded, he still could not give his assent to the proposal which had been submitted to the House. He felt he should be unworthy of the office he had the honour to hold if he were not prepared to vindicate for himself the right, not, of course, to dictate to the House, but to lay before it the best proposals he could make in connection with his financial statement. He therefore hoped that his hon. Friend would be content with the impulse he had given to the question, and that the matter would not be pressed to a division, for the only effect of doing so would be greatly to embarrass the financial policy of the Government, and to set a precedent which he did not think it was desirable to establish.

Mr. SCOURFIELD said, he had always felt it his duty in that House to oppose abstract Resolutions on Questions of finance, and was of opinion that the present Resolution was calculated to place hon. Members in an unfair position. It tended to produce the taking of things separately which ought to be taken conjointly, and reminded him of the saying that every wine was good, but that some wines were better than others, for it raised the question of every tax being bad, while some taxes were worse than others. He generally felt alarm on hearing an hon. Member urge in support of his particular proposal that it would lighten the springs of industry. It reminded him of a remark made by a gentleman some time ago in reference to a person who had become generally embarrassed in circumstances — "What could you expect of a fellow who had frittered away his fortune in paying his tradesmans' bills." When, he might add, he saw countries like France and America making such efforts to pay off their debts, he did not think it creditable to us to postpone our obligations, and he had no doubt we should be recompensed in the future for any sacrifice which we might make in that direction at the present time.

Mr. MELLY, although he desired to support the Motion so far as it related to the passenger duty, did not think it would be desirable at the present moment to force the hand of the Chancellor of the Exchequer. He might mention that the gross receipts of the London, Brighton, and South Coast Railway for the year ending in December last were for passengers, £524,572; season tickets, £51,842, making a total of £576,414; from which, if the working expenses, £259,386, were deducted, it would be found that the profit of £317,028 remained. It would also be seen that the passenger duty paid for the half-year was £18,817, which was equal to an income tax on the profit of 1*s.* 2¼*d.* in the pound. He might add that from the published accounts of the Metropolitan District Railway for the past half-year it appeared that their receipts for passengers were £93,629, and their working expenses £46,814, which left a profit of £46,815; their payment for passenger duty was £2,667, which was equal to an additional income tax of 1*s.* 1½*d.* in the pound. Now, as the shareholders in all the Railway Companies already paid the ordinary income tax upon their dividends, he could see no good reason why they should be called upon to pay taxes a second time upon the same income. He felt sure, therefore, the Chancellor of the Exchequer would take into his consideration the desirability of taking away, at all events, the passenger duty.

Mr. Alderman W. LAWRENCE could not help complaining of the action of the Board of Inland Revenue in taking a course which tended to restrict the means of locomotion at the command of third-class passengers. He thought that every facility should be afforded for the transport of the labouring classes, whether travelling for pleasure or in pursuit of their daily labour. He could not, however, vote for the Motion because it was opposed to the policy of imposing any tax whatsoever on locomotion.

Colonel BERESFORD wished to point out that there was a tax levied on omnibuses at the same rate as on the carriages of the aristocracy, which amounted to 1¼ per cent in the case of the London General Omnibus Company. He might say nothing that had fallen from the hon. Member for the Orkneys had convinced him that the tax, of which complaint was made, was not, after all, paid by the passengers.

Mr. PEASE said, that the present passenger duty presented a great anomaly which would have, sooner or later, to be redressed. A third-class train which travelled from London to York in seven or eight hours, crawling along and stopping at all the stations, was exempted from duty, but if a third-class train did the same journey rapidly, running through several stations, the Company had to pay the duty. He trusted that on Monday night it would be found that the Chancellor of the Exchequer had given not only consideration but favourable consideration to this question. The present system was a bar to studying the convenience of the public.

Mr. LAING said, that he should not feel justified, after the speech of the Chancellor of the Exchequer, in pressing the Motion to a division; but if the matter should not be dealt with in the Budget, he would bring it forward again, and run his horse against that of the Chancellor of the Exchequer. He begged leave therefore to withdraw his Motion.

Question put, and *negatived.*

SUEZ CANAL—AUGMENTATION OF DUES.

RESOLUTION.

MR. BAILLIE COCHRANE, in rising to call the attention of the House to the interests of British shipowners in the navigation of the Suez Canal, and to move—

> "That, the Commerce of this Country being so deeply interested in the uninterrupted navigation of the Suez Canal, it is desirable that Her Majesty's Government should at once give its adhesion to the judicial reforms in Egypt, suggested and approved of by the Representatives of all the European Powers, by which tribunals will be created for the better administration of justice in Egypt, and the adjudication of differences which may arise between British Shipowners and the administrators of the Suez Canal Company."

said, he wished to point out where he thought the Government had been very much to blame in their recent policy with respect to Egypt. There was nothing more remarkable than the progress which had been made during recent years in our communication with the East. Through the exertions of Lieutenant Waghorn the overland route had been established, and afterwards a railway was constructed. When this railway was established in 1852, the French Government saw the mistake which they had made in opposing it, and M. de Lesseps commenced that wonderful work which had been so successfully carried out, the Suez Canal. M. de Lesseps had remarked to him—"My first principle in life was always to have confidence," and he had succeeded where the Ptolemies had failed. The undertaking was started by a French Company; but in the Firman it was called a Turco-Egyptian association, and was subject to the laws and customs of the Turco-Egyptian Government. The Suez Canal cost £16,000,000, half of which was subscribed by a French Company; and, notwithstanding the Canal was on the high road to India, the scheme had never been supported by the English Government; Lord Palmerston, indeed, did everything to oppose it, and not a hundred pounds of English money was engaged in the speculation. The French Company now possessed £12,000,000 out of the £16,000,000 expended on the scheme, and none could fail to give M. de Lesseps every credit for the energy with which he had carried out the work. In consequence of M. de Lesseps having been left to overcome his difficulties as best he could, the affairs of the Company were subject to Egyptian law, and the rates and dues were to be levied subject to the Egyptian Government. The tonnage rate for goods was 10½f. per ton, and 10f. for each passenger, so that one of our troop ships on her way to India paid something like £1,400. Two years ago M. de Lesseps made a change in the method of levying these dues; he did not alter the rate, but he resolved that in future the charge should be made upon the gross instead of upon the net tonnage, the result being that the ships paid on the engines and boilers and all spare space. That had been done in the beginning of 1872, and since then ships had been charged, not on the net tonnage, but on the gross tonnage. Well, what occurred the other day? The Messageries Maritimes appealed against that proceeding to the Chamber of Commerce in France, and in two or three months a decision was given in favour of the Suez Canal Company. The case was then carried to another Court in Paris, which reversed the decision. But, in point of fact, the whole case between the Messageries Maritimes and the Suez Canal Company was a private arrangement, the object being to put the authority over the Suez Canal Company into the hands of a French Court. That naturally excited great indignation. Now, he wanted to know whether, when the matter was laid before the Government, they resisted or accepted what had been done? There was another point which was deserving of attention. By the capitulations with Egypt anything brought before a Court must be tried in the defendant's Court, and therefore, whenever our shipowners appealed against these excessive tolls, the action was brought before the Court of the French Consul General at Cairo. He need not say that the decisions were naturally given against us. This point brought him to the question of judicial reforms, and he regretted to have to say that in his opinion the Foreign Secretary had entirely failed in his duty of representing our interests in the East. On the 22nd of July, 1870, when the question of judicial reforms was brought before the Turkish and Egyptian Courts, Lord Granville wrote—

> "The two Governments of England and France agreeing to the proposed reforms, it seems to Her Majesty's Government that the basis of this accord should be made known to the other Governments who were represented on the Committee that sat at Cairo. It remains with the Viceroy to obtain the consent of the Sultan to these proposed reforms."

He (Mr. Cochrane) had the honour of bringing the question before the House last year, and subsequently in the autumn the Commissioners met at Constantinople, and the judicial reforms were agreed to. But suddenly the French Government, seeing the importance of keeping the Suez Canal in the hands of France, and of thus having it in its power to stop our communications with the East, said they would not consent to those judicial reforms. Every Government in Europe, with the exception of France, was in favour of them. But what did Lord Granville do? Did he show that courage which an English Foreign Minister ought to display, or that decision of character which we had a right to expect from him, when France, for her own selfish purpose, refused her consent to the judicial reforms? Not at all. Lord Granville only said—"We will never do anything without the consent of France." Who was President of the Commission at Constantinople? Our most admirable Consul General, Sir Philip Francis. But though all were agreed as to the absolute necessity of those judicial reforms, and there was not a dissentient voice, except that of France, Lord Granville suddenly said that he would not act without France, and the whole thing fell to the ground. Lord Granville, in 1870, held the opinion which Lord Clarendon and Lord Derby held before him. Her Majesty's Government could not doubt that the system which now prevailed in Egypt, with regard to trying suits in which foreigners on the one hand, and the people of Egypt on the other were concerned, was injurious to all parties, as it was certainly without the warrant of any Treaty engagements. Her Majesty's Government, therefore, were willing to lend their aid to establish a better system; but if the other Powers agreed in the same object, why should we hold back because France suddenly refused her consent? It was not right that we should be parties to a system which might have been very well of old, but was not suitable to the present time, and was most injurious to British interests. What was the fact? Why, that out of 100 ships passing through the Canal, 79 carried the British flag. That Canal the French had got so much into their hands that there was not a single *employé* connected with it that was not a Frenchman. They could close the Canal whenever they liked, and need not let a vessel enter until it had paid any dues they wished to charge with 60 per cent extra tax; and then they said—"You may bring your action against us; but when you do you must carry it into a French Consular Court." The consequence of closing the Canal for one month would be most serious to us. On Friday the House would be asked to consider the Euphrates Valley as a communication with the East; but surely we ought to insist upon our existing means of communication being regulated in such a manner as to win the approval of Europe. He wanted to ask the noble Lord (Viscount Enfield) as he (Mr. Cochrane) had tried in vain to obtain Papers, what the Government had done, or what representations they had made after the decisions which had been given in the French Courts. Had they protested against the authority of those Courts? The question of tonnage dues was comparatively unimportant. What was important was whether the Suez Canal being of such vital consequence to us, there was a power of closing it against us, or of putting such tolls on our ships passing through as virtually to close it against us whenever the French chose. He had heard it said that if those tolls were collected for the future, it would be impossible even for the Peninsular and Oriental Company to send their ships through. Millions of money had been spent since the opening of the Canal in building ships fitted for the navigation of the Canal. Was that a matter which was of no concern to us? Anyone who had been in Egypt must have seen how important were our relations with that country. One third of the people employed there were English, and at the present moment there were parties of English surveying the ground for railways up to the Upper Nile. By the policy now adopted by the Foreign Office our *prestige* in the East was being weakened, and our relations with India and our colonies endangered. This was a question of so much importance, that late as the hour was he had ventured briefly to call attention to it, and unless he obtained a most satisfactory explanation from the noble Lord, he would certainly divide the House on the Resolution. He begged now to move the Resolution of which he had given Notice.

Mr. EASTWICK: Sir, I imagine that every one will admit that it was high time that this most important subject should be brought before the House, and for my part I regret that the hon. Member for the Isle of Wight, who has given so much attention to it, has not dealt with it even more fully. The manner in which it affects the commercial interests of this country is of course obvious, but it reaches beyond them, and is still more important in a political point of view. Nor do I believe that the necessity for discussing it has been in the very least degree diminished by the assurance which the Noble Lord, the Under-Secretary for Foreign Affairs, gave us the other night, that his Department is busy with the question. We are all aware that the Foreign Office has been busy with this question of the Suez Canal for some 18 years, but it will surprise me very much if any hon. Member should rise in his place and say he finds comfort in that fact. To borrow a phrase used by the noble Lord in the Debate of the 5th July last year, "the Foreign Office has not spoiled the Egyptians," but it certainly long did its very best to spoil their Canal. I should like to ask whether any one can now look back without pain and mortification to that invidious opposition, that *résistance sourde et active à la fois* of English Diplomacy, as the Mémoire of the Messageries Maritimes calls it, which for 10 years from January 1856, to the 19th of March, 1866, prevented the Sultan from ratifying the concession to M. de Lesseps. One would have thought that if ever there was a great work which deserved the patronage of the English Government, it was this Canal, which has shortened the voyage to India by 5,600 miles, and made Egypt the half-way station between Southampton and Bombay. I have never been able to explain to myself what petty and mistaken jealousy prevented us from heartily co-operating in the work, and taking it up as an international enterprise. A third of the expense might have been saved by giving to the project the joint guarantee of the English and French Governments, and encouraging vessels to adopt the transit by levying moderate dues. The undertaking was too vast and speculative for a private company, but as a great international enterprise, I believe the financial ill-success would have been far less, for it is delay in such works that causes expense. I believe too, that the assurance that the Canal would be completed would have induced ship owners to alter the build of their vessels and prepare for the transit of the Canal at an earlier date, and at the end of 1871, instead of a passing tonnage of 766,000 tons register, and an income of £400,000 a year, these figures would have been doubled. Well, Sir, it is a fact that for 10 years the Foreign Office opposed this great, glorious, and beneficent undertaking, in which it has now been clearly shown that we have three times as much interest as all the world besides, for the vessels which pass the Canal under our flag are three times as numerous as those under the flags of other nations, with three times the tonnage. I shall be glad to know now, if the noble Lord will explain it, what the policy of our Foreign Office is to be. The first thing to be decided is, I suppose, whether we have any *locus standi* at all. The French Commission which sat on the 8th of October, 1871, declared we had not, and repudiated all interference on the part of Foreign Governments with the Company, alleging that it is bound to the Egyptian alone, and as for the rest, "*ils ne peuvent être admis à l'interprétation des clauses.*" In short, after visiting all the English commercial centres, and stirring heaven and earth to obtain their co-operation, M. de Lesseps now says, like a greater man who preceded him in Egypt "Friends, begone; I have myself resolved upon a course. Begone, I say." He declares that within the limits of the concession the Company can do exactly as it pleases, and may quadruple its receipts by declaring that the ton is to be in future a cubic metre, and if this be accepted, there is nothing to prevent its being reduced some years hence to a cubic foot. The very fact that it is attempted to lay down such a principle should induce us to act on the principle *obsta principiis*, and oppose the levying of a toll on any tonnage but that on which it was first levied, namely, registered, were it not desirable to get rid of registered tonnage altogether. It has been proved, however, that the adoption of registered tonnage, as distinguished from gross tonnage, opens the door to all sorts of fraud. Up to 1867, when the Duke of Richmond exempted "crew space" from tonnage wherever it might be situated, shipowners were in the habit of berthing seamen in unhealthy wet places, to escape paying dues, and of filling up the space that ought to have been kept clear for the men with ship stores and odds and ends. Now it appears from an article on the Admeasurement of Tonnage by Mr. Gray, reprinted from *The Nautical Magazine* of February, 1871, that we have fallen into the opposite extreme, and that unequal allotments of exempted space are made for berthing crews, and much in excess of what the law requires. When we come to exemptions for engine rooms we plunge at once into a labyrinth of difficulties connected with an absurd system of percentages, whereby "some steamers carry an enormous excess over sailing ships of like net register tonnage, while other steamers cannot carry so much as a sailing ship of the like register." Any one who wishes to see how unfairly the present law operates, has only to consult the article from which I have just quoted. The only way of settling these conflicting claims is to put steamers and sailing vessels on the same footing, and to allow exemptions to neither. On the whole then, I trust that registered net tonnage will be given up, and that what dues are levied will be levied on the gross tonnage without any exemptions, it being insisted of course that the dues shall be moderate so as not to obstruct trade. At the same time it is impossible to acquit M. de Lesseps of dealing unfairly with this matter, or to accept his reasons for making the change. It is clear that in his original estimate to the Viceroy Said Pasha on the 15th of November, 1854, M. de Lesseps calculated on registered tonnage, when he said that 6,000,000 of tons went round the Cape, and that if only 3,000,000 passed the Canal, it would recoup the Company. He and M. Lange visited 13 commercial centres in England in 1856, and they both repeatedly assurred the audiences they addressed that toll would be taken on registered not on gross tonnage. From the opening of the Canal on the 17th of November, 1869, to the 1st of July, 1872, the toll was actually taken on registered tonnage, and in his circular to the Chambers of Commerce, of the 23rd of August, 1871, M. de Lesseps admits that the question of taking toll on gross tonnage was a new question in 1870. The reasons also for making the change are plainly insufficient. It is pretended that there were difficulties in levying the toll impartially, because the system of ship measurement differs with different nations. But English vessels make up 75 per cent of the whole tonnage passing through the Canal, and Austria, France, Denmark, and the United States have lately adopted our system of measurement, which would bring up the tonnage, about which there could be no difficulty, to 84 per cent. For the remaining 16 per cent, we may well say with the Advocate-General, M. Hémars—

> "Let the Company reduce different tons to the same standard by the help of ready reckoners, and if they fail there is no blame for not accomplishing the impossible."

But admitting that registered tonnage and all exemptions should be given up, I cannot for one moment allow that the Canal Company are to impose increased tolls at their discretion, and make the ton an elastic measurement varying in signification, for the purpose of increasing the Company's dividends. This would be to close the Canal and divert the traffic to the railway, but such is the impecuniosity of the Company, that even the most suicidal and impolitic measures are possible. The question is, how are they to be resisted? Unless we are to put the authority of the Sultan altogether aside, it would seem that the only course is that expressed in the Resolution which has just been moved. Article 16 of the "Firman" of the 22nd of February, 1866, says that—

> "Difficulties arising between the company and individuals of any nationality shall be submitted to an Egyptian Court of Justice,"

and I see that the French writers take this to mean the French Consul's Court in Egypt. If this be so, the only remedy is to abolish the Consular Courts and establish the judicial reforms which were proposed by the International Commission, and which were discussed in this House on the 5th of July last year. The noble Lord the Under-Secretary for Foreign Affairs, then said that the code to be adopted in the new Courts would be ready in six months, and led us to hope that we might see the new system inaugurated before this. I expressed a doubt at the time of any arrangement being made so speedily, and it turns out that I was right. I hope now to hear that there is some prospect of a decision of the question, and though it is a serious matter to give up the capitulations which were granted by Sulaiman to Francis I. in 1535, and then to James I., and which have been our protection from Turkish injustice so long, yet I would fain hope that the proposed mixed Courts would be better than the Consular, and therefore I heartily support and second the Resolution.

Motion made, and Question proposed,

"That, the Commerce of this Country being so deeply interested in the uninterrupted navigation of the Suez Canal, it is desirable that Her Majesty's Government should at once give its adhesion to the judicial reforms in Egypt, suggested and approved of by the Representatives of all the European Powers, by which tribunals will be created for the better administration of justice in Egypt, and the adjudication of differences which may arise between British Shipowners and the administrators of the Suez Canal Company."—(*Mr. Baillie Cochrane.*)

Mr. T. E. SMITH observed that the question under discussion was one which affected materially the interests of the mercantile community of this country. It extended not only to the subject of the [dues charged, but to that of the freedom of trade—the ingress and egress to and through the Canal, and the preservation of our communication with our Indian Empire. However mistaken our former policy with reference to the Suez Canal might have been, it was now completed, and it was most important that the navigation should be kept free and open to all nations. They did not ask for the British merchant special privileges, but they did demand that the navigation should be as free to us as to France or any other nation. It was clear that all questions now arising were simply under the jurisdiction of the French Courts, and France was so interested in the Canal that her Courts could not be regarded as wholly disinterested in a question which affected the whole of Europe.

England contributed three-fourths or four-fifths of the entire traffic of the Canal, and therefore the mercantile community had a right to ask the Foreign Office to take every step in its power to protect their interests, and it was somewhat disappointing that no evidence was visible of any such steps having been taken. The extra tonnage dues which had been charged by the Suez Canal Company he believed to be a totally indefensible charge. The Firman which gave the Company power to charge certain dues gave the power to charge on the ton of capacity—a term which every shipowner in England understood, and in France the ton of capacity was practically identical with what it was in England. He hoped that steps would be taken to prevent the levying of unjust imposts by the Canal Company.

Mr. A. GUEST said, he thought that the Motion was framed somewhat unfortunately, because it put the question too narrowly, for it did not take into consideration the interest of England in reference to India. The subject resolved itself into two branches—the question of tonnage and that of the judicial reforms of Egypt. The Suez Canal Company was a public Company under the Egyptian Government, and unless the judicial reforms were carried out we had no power of interfering at all. It was clear we could not compel the Company to lower their tariff, and the question then remained whether we should push forward these judicial reforms. They had been assented to by all the Powers, and last year the noble Lord (Viscount Enfield) said he hoped that the matter would be brought to a conclusion within six months. Nothing had, however, been done. Our trade to India and the East, which used to be carried round the Cape, was now carried through the Suez Canal. Suppose the Canal were to be suddenly closed. Where should we be then? We should not have a sufficient number of ships of the right class to convey our reliefs to India and to carry on commerce round the Cape. [Mr. T. E. Smith dissented.] The class of ships that used to carry coals round the Cape was being done away with, and if the Canal were closed the consequences would be exceedingly inconvenient. In case of a war it was doubtful whether we should be able to pass our Indian reliefs through the Canal and along the railway to Suez. Egypt was, he believed, sincere in wishing to have these judicial reforms carried out. It was a mistake, however, to suppose that Egypt was desirous to separate herself from the Porte. The Khedive's desire was to improve the country, and there was every reason for helping Egypt in carrying out these judicial reforms. He trusted that the noble Lord would consider this question as it affected our Indian reliefs, and that he would be able to give the House a satisfactory assurance upon both the branches of this question.

VISCOUNT ENFIELD said, that both the points alluded to were deserving of the attention of the Government—the question of extra dues and the progress of judicial reforms in Egypt. It would, however, have been more advantageous to the interests which the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) had at heart, if he had kept these two matters a little more distinct. The hon. Member's Motion, as it appeared on the Paper for the first four weeks of the Session, referred exclusively to the question of how our commercial interests were involved in regard to these extra dues. In some respects, no doubt, the two questions hung together; but with the permission of the House he (Viscount Enfield) would endeavour to keep them separate, and inform them exactly the position in which both of them now stood, and to show that the Foreign Office, through Lord Granville, had not neglected our commercial interests herein. The hon. Gentleman (Mr. Baillie Cochrane) had correctly stated the facts connected with the original concession. The authority under which the dues were levied was derived from the concessions granted to M. de Lesseps by the Viceroy of Egypt on November 30, 1854, and January 5, 1856, which were incorporated in a Convention between the Viceroy and the Canal Company on February 22, 1866, and confirmed by a Firman of the Sultan of March 19, 1866. The Articles relating to the dues were Articles 14, 15, 16, and 17. The important words in this last Article were the expressions—"*maximum de dix francs par tonneau de capacité des navires et par tête de passager.*" The question at issue mainly turned upon these words. In pursuance of their powers, the Canal Company issued their first navigation regulation on August 17, 1869. The Canal was opened on the 20th of November, 1869, and from that time up to last year the dues continued to be levied on the tonnage shown in the ships' papers as the net register tonnage. The question then arose as to register tonnage and gross tonnage; what did they respectively mean? He spoke with great hesitation in the presence of hon. Members who were interested in commerce; but he must say that the question of tonnage had not been always of so simple a character as the hon. Member for Tynemouth (Mr. T. E. Smith) seemed to think. The original measurement of ships in England appeared to have been by displacement, and was at first limited to colliers sailing from the ports of Northumberland and Durham. In ships thus measured and marked, a ton register represented absolutely a ton weight. By the 6 *Geo.* I. the method of measurement by tonnage was applied to vessels laden with spirits, and by the 13 *Geo.* III., c. 74, a rule was laid down for the measurement of the tonnage of all vessels, except those carrying coals and herring fishing-boats. In these Acts the rough-and-ready system of ascertaining diplacement by dead weight was abandoned, and a system of mathematical measurement of the size of the vessel substituted. From this time the tonnage of a vessel meant, as it meant now, the internal capacity of the ship. In short, a ton was a unit of measurement of space, consisting, according to the existing law — the Merchant Shipping Act, 17 & 18 *Vict.*, c. 104—of 100 cubic feet, and when the tonnage of a British vessel was spoken of it meant the number of hundreds of cubic feet contained within the ship. The first Act for the admeasurement of steam vessels was in 1819—59 *Geo.* III., c. 5—and provided that in estimating the tonnage a deduction should be made for engine space; hence came the distinction between net register tonnage, commonly called register tonnage, and gross tonnage; the former being the tonnage shown on the steamship's register after this deduction had been made, and the latter the total tonnage without deduction. With regard to the tonnage laws of France and other countries, French tonnage was originally framed on a system of displacement similar to that of England. The measurement of French vessels was provided by the law of November 18, 1837, to be on mathematical principles so as to arrive at the bulk of the ship, thus making the French ton like the English, an unit of space, not of weight. In the United States, Spain, Portugal, Holland, Norway, and Russia the principle of measuring the cubic bulk of the ship was much the same, but the method of working it out was different. The principal maritime countries had thus agreed in principle, but differed in practice. To obviate this difference an international arrangement had been arrived at between Austria, Turkey, Italy, Holland, Denmark, Germany, the United States, and France to adopt English measurements of gross tonnage. By a resolution of March, 1872, the Suez Canal Company determined to levy the dues on a scale which excluded the usual deduction; this change added nearly 50 per cent to the dues. On the 10th of September the Peninsular and Oriental Company forwarded to the Board of Trade a statement of the effects of the new scale of dues on their traffic. From this statement it would be seen that the conditions of these mail and passenger steamers gave the following average results for each ship:—Gross register, 3,210 tons; net register, 2,057 tons; cargo capacity, 1,659 tons; passengers, first-class, 153 tons; passengers, second-class, 48 tons; and that under the original Canal tariff the dues on these vessels would have amounted annually—exclusive of passenger-tolls, towage, and pilotage—to £80,184, while, by the present tariff, these dues were raised to £133,536, also exclusive of passenger-tolls, &c., which continued to be charged as heretofore. It would be perceived, therefore, that, after charging a toll upon every passenger and thus levying dues upon that portion of the ship's tonnage devoted to their use, the Canal Company now charged upon the gross register of 3,210 tons, while the cargo carrying capacity was only 1,659 tons, or 50 per cent less than that which was thus unfairly assessed. The Messagéries Maritimes had brought an action against the Company before the Tribunal of Commerce of the Seine, and had obtained a verdict for the repayment of the excess dues with interest. The Porte protested against the jurisdiction of the Court. The Canal Company appealed to a higher Court, and on appeal the verdict had been reversed, the result being in favour of the Canal Company. The Company maintained that, under the terms of the Act of Concession, it was only amenable to the jurisdiction of the French Consular Courts in Egypt or Turkey. The Porte maintained that the Company was Egyptian, and amenable to Turkish or Egyptian Courts. The Turkish Government had admitted that the change in the mode of levying dues was illegal, the sanction of the Porte not having been obtained previously. The hon. Member for the Isle of Wight (Mr. Cochrane) was a little severe upon Lord Granville when he assumed that the noble Lord had done nothing on the subject during the last year, for on August 31, 1872, instructions were sent to Her Majesty's Ambassador at Constantinople (Sir Henry Elliott), explaining the views of the British Government, and stating that they could not admit the right of the Company to place their own construction on the terms of the concession. That despatch had been communicated to the Maritime Powers interested, and he believed its terms met with their approval. In October the idea of a Conference upon those questions was mooted by the Porte, and that had given rise to various other communications and references. On January 15th in this year the Porte made a formal communication to the British Government for a Commission, to sit at Constantinople or in London, to examine into these disputes. The three points on which an opinion was sought were mentioned in a despatch to Sir Henry Elliott, dated 3rd of March, 1873. They were as follows:—(1.) Proposal of the Porte for a Commission to establish an uniform standard of tonnage; (2.) Course to be pursued as regards a change of dues; (3.) Question of dues to be levied in future. With regard to the first proposal of the Porte, the British Government agreed that a Commission should meet, suggesting that each maritime Power should be represented upon it, that it should decide what deductions should be made, how cargo carrying space should be measured, and that London or Constantinople should be the place of meeting. Preference was given by the Government to London as the place of meeting, because the best maritime and commercial information could be obtained there. He ought to inform the House that Constantinople had been suggested by Austria, and that no decision had been arrived at in the matter, but there was every probability that one of the places which he had named would be selected. With regard to the second point, it had been agreed that the Porte should call upon the Suez Canal Company to take up their original charges; while, on the third part Her Majesty's Government stated that, although they did not refuse to admit the right of the Porte to increase dues itself, they hoped it would not inflict injury on maritime interests by so doing, urging that before any increase was definitively agreed on, the British Government and other maritime Powers might be heard on the subject. Thus much for the case with regard to the Canal Company. As to judicial reforms, when he stated last year that he hoped some satisfactory solution would within six months be arrived at he would have been nearer the mark if he had said ten months. The Commission which had been sitting at Constantinople on the arrangements for carrying out judicial reforms in Egypt had now reported, and the Report would be considered by the Governments interested in order to determine how far its conclusions might be adopted; for the question was not one which could be decided by the British Government alone, but could be determined only by consent of all the Governments after the sanction of the Porte had been pronounced. The reforms, when settled, were, as far as related to civil jurisdiction, tentative for five years, but as regarded criminal jurisdiction—except so far as it might be necessary to obtain respect for the proceedings of the tribunals—any decision was reserved till it was ascertained that the working of the civil jurisdiction after five years should have proved satisfactory. It would, he apprehended, be mischievous for British interests to accept singly the new system which, if rejected by other Powers, would place British subjects at a disadvantage in regard to civil process in Egypt. The Powers represented at this Commission were Great Britain, France, Austria, Germany, Italy, Russia, Belgium, the United States, Holland, Sweden and Norway, and Turkey. Their assent and co-operation must necessarily be given before those judicial reforms could be inaugurated and successfully carried out. If the House passed the Motion of his hon. Friend (Mr. Cochrane), it would show scant courtesy to the Powers that had worked so cordially with the British Government in the labours of the Commission. Under the circumstances, he hoped his hon. Friend would not think it necessary to press his Motion to a division, and that he would be contented to accept the assurance that, although some little delay might occur, the reforms which had been substantially agreed on by the various Powers were likely to be brought to a satisfactory issue.

MR. BAILLIE COCHRANE said, the answer of the noble Lord (Viscount Enfield) was much more satisfactory than he had expected. He regretted, however, that the despatches which he had quoted, and which in a great degree justified the position which had been taken up by Lord Granville, had not been laid on the Table of the House. The noble Lord, he might add, was in error in saying that the Commission of 1855 accepted the principle of net, and not of gross tonnage. [Viscount ENFIELD said, he had not alluded to the Commission of 1855.] He (Mr. Baillie Cochrane) then wished to beg the noble Lord's pardon, and to say that after the statement which he had made he should not divide the House on his Motion.

MR. DENISON thanked the noble Lord for the very clear explanation he had just given. It was perfectly clear from what was said by M. de Lesseps, that whatever the contention of our Government and the other maritime Powers might be, his view was that the legal domicile of the Suez Canal was in France, and that we had no power to take a legal decision on this question out of the French Courts.

Motion, by leave, *withdrawn.*

ELEMENTARY EDUCATION PROVISIONAL ORDER CONFIRMATION (NO. 3) BILL.

On Motion of Mr. WILLIAM EDWARD FORSTER, Bill to confirm a Provisional Order made by the Education Department under "The Elementary Education Act, 1870," to enable the School Board for London to put in force "The Lands Clauses Consolidation Act, 1845," and the Acts amending the same, *ordered* to be brought in by Mr. WILLIAM EDWARD FORSTER and Mr. Secretary BRUCE.

SHOP HOURS REGULATION BILL.

On Motion of Sir JOHN LUBBOCK, Bill to provide for regulating the hours of labour of children, young persons, and women in shops for the sale of goods; and otherwise to extend and amend the Workshops Act, *ordered* to be brought in by Sir JOHN LUBBOCK, Mr. THOMAS HUGHES, Mr. MORLEY, and Mr. MUNDELLA.

SHREWSBURY SCHOOL PROPERTY BILL.

On Motion of Mr. WINTERBOTHAM, Bill to amend "The Public Schools Act, 1868," as to the property of Shrewsbury School, *ordered* to be brought in by Mr. WINTERBOTHAM and Mr. Secretary BRUCE.

FAIRS ACT (1868) AMENDMENT BILL.

On Motion of Mr. DODDS, Bill to amend "The Fairs Act, 1868," *ordered* to be brought in by Mr. DODDS, Mr. PEASE, Mr. CLARE READ, and Mr. MILBANK.

BOROUGH FRANCHISE (IRELAND) BILL.

On Motion of Mr. CALLAN, Bill to assimilate the Borough Franchise in Ireland to that in England, *ordered* to be brought in by Mr. CALLAN, Mr. MITCHELL HENRY, and Mr. DOWNING.

COUNTY FRANCHISE (IRELAND) BILL.

On Motion of Mr. CALLAN, Bill to reduce the qualification for the Franchise in Counties in Ireland, *ordered* to be brought in by Mr. CALLAN, Mr. MITCHELL HENRY, and Mr. DOWNING.

LOCAL TAXATION (ACCOUNTS) BILL.

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

New Clause (Abstract of accounts of local authority to be transmitted to Local Government Board,) — (*Mr. Pell,*) — *brought up*, and read the first time.

Question put, "That the Clause be read a second time."

The Committee *divided:* — Ayes 48; Noes 16: Majority 32.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members not being present,

Mr. Speaker resumed the Chair.

House counted, and 40 Members not being present,

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Wednesday, 2nd April, 1873.

MINUTES.]—SELECT COMMITTEE—Juries (Ireland), *nominated;* Public Departments (Purchases, &c.), Lord George Hamilton *discharged,* Sir John Hay *added.*

PUBLIC BILLS—*Ordered—First Reading*—New Zealand Roads, &c. Loan Act (1870) Amendment * [116]; Vagrants Law Amendment * [120].

First Reading—Poor Allotments Management * [113]; Intestates Widows and Children * [114]; Elementary Education Provisional Order Confirmation (No. 3) * [115]; Shrewsbury School Property * [117]; Borough Franchise (Ireland) * [118]; County Franchise (Ireland) * [119].

Second Reading — Seduction Laws Amendment [10]; Gretton Chapel Marriages Legalization * [111].

Report—Portpatrick Harbour * [61].

Considered as amended—Marine Mutiny *.

Third Reading—Sites for Places of Religious Worship * [25], and *passed.*

Withdrawn — Metropolitan Buildings Act Amendment [54]; University Tests (Dublin) (No. 2) * [109].

SEDUCTION LAWS AMENDMENT BILL.

(*Mr. Charley, Mr. Thomas Hughes, Mr. Eykyn Mr. Whitwell.*)

[BILL 10.] SECOND READING.

Order for Second Reading read.

MR. CHARLEY, in moving that the Bill be now read the second time, said, its principal object was to protect young females between the ages of 12 and 14. It was not necessary for him to enter at any length upon an explanation of the measure, because the main proposition was assented to in principle last year, a clause to the same purpose having been contained in his Bastardy Law Amendment Bill of last year, and the second reading of that Bill was agreed to without any objection having been taken to that provision. But at a subsequent stage the hon. Member for Armagh (Mr. Vance) having intimated his intention of opposing it, rather than run the risk of losing the whole Bill, he (Mr. Charley) assented to the omission of the clause, intimating at the same time his intention of prosecuting this subject in the next Session. As he had said, the main object of the Bill was to extend protection to girls between the ages of 12 and 14 years. At present the law now afforded the protection he now sought to female children between the ages of 10 and 12; and the 9 *Geo.* IV. c. 31, contained a clause, which was re-enacted in the 24 & 25 *Vict.* c. 100—the Consolidation Statute relating to Offences against the Person—the abduction of an unmarried person under the age of 16 from the possession and against the will of her parent or guardian was made a misdemeanour. Now, his present object was to make that a statutable offence in respect to females between the ages of 12 and 14, which was not at present an offence at common law. For the necessity of such an enactment he would refer hon. Members to the last Report of the Rescue Society which was presided over by the Earl of Shaftesbury, and which was doing good work in London. The statistics given in this document disclosed a most distressing state of things. The number of young girls who had passed through the institution last year was 540; and a reference to their ages would show how much legislation on the subject was required. He had further to urge as an argument why the House should accept this legislation was, that the amendment of the law was required in the interests, not of the rich, but of the poor. The statutes to which he had already referred made the abduction of an heiress under 21 years of age a felony, subjecting the offender to penal servitude; and surely Parliament would not refuse to the female who was poor and defenceless the protection given to her who was rich and powerful. The clause simply proposed to enact that in the 24 & 25 *Vict.* c. 100, the section relating to this offence shall be read as if the words were "twelve" and "fourteen," instead of "ten" and "twelve." He had also added a clause by which any owner or occupier of a house harbouring any girl under 16 for the purpose of prostitution should be guilty of a misdemeanour, or should be liable to summary conviction. The Bill contained another provision which, though not the main object of the Bill, was nevertheless of considerable importance. At present, in order to recover compensation for the injury inflicted by seduction, it was necessary to proceed upon a legal fiction—the parent or other next friend of the injured girl, and not the injured girl herself, brought the action on the plea that the damages sought to be recovered were for the loss of her service, and it was necessary to prove some service that could be lost before damages could be recovered. The Judges, indeed, had from time to time ruled that the compensation need not be confined to the actual loss of service, but that the wounded feelings of the parent might be taken into account. This, however, was contrary to the strict reading of the law, and there were on record cases where the Court ruled that there was no redress because the girl was in the service of the defendant himself at the time he seduced her, and that there was no evidence that the father benefited by her service; but the Judges, no doubt, were ready to admit the very slightest evidence of service. In order to set this matter at rest he had introduced a clause which enacted, first, that an action for seduction might be brought by the parent or guardian of the girl seduced, and that it should not be necessary for the plaintiff to aver or prove that the girl was in his service at the time of the seduction, or that he thereby lost her services. This did but follow the ruling of the Judges, and made it clear that the damages were to be given without reference to the loss of services—in fact, abolished that fiction altogether. He did not propose to give any action where it did not now lie, except in the case—the seduction of an orphan minor. Here the Bill proposed that an action for seduction might be brought by a guardian *ad litem* admitted by the Court to sue. The hon. Member for Whitehaven (Mr. Cavendish Bentinck) had given Notice of his intention to move the rejection of this Bill. The leaders of the Conservative party had declared that it was the peculiar function of that party to promote measures of social reform, and relying upon that gratifying assurance, he (Mr. Charley) had introduced several measures of that nature, and by the kind indulgence of this and the other House of Parliament had succeeded in passing them into law, and he trusted he should meet with similar indulgence in his present attempt. The hon. Member for Whitehaven, however, appeared to think that the function of the Conservative party was obstruction. The scenes exhibited in our streets were a disgrace to a nation which claimed to stand in the vanguard of the civilized world, and they were a by-word among foreigners. The best way to remedy existing evils was not to prosecute the unhappy women, but to prevent girls from falling; and if a man betrayed the confidence of these young creatures, let him do it at his peril. If he escaped punishment, this House would at least have the satisfaction of interposing a barrier to prevent the committing of this great wrong.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Charley.*)

MR. CAVENDISH BENTINCK, in moving that the Bill be read a second time that day six months, said, his main objection to the Bill had nothing to do with its merits at all—this was an attempt to alter the common law of the country, and it was an attempt which ought not to have been made by a private Member, and which ought not to be sanctioned. The alteration in the law, if made at all, ought to be proposed by a responsible Minister of the Crown after consultation with the Judges and the legal officers. There was no reason why the House should be asked to trouble itself with small tinkerings of the law which could do no good whatever. The hon. and learned Member (Mr. Charley) tried his 'prentice hand last year on the Bastardy Laws, and the only result was that of throwing a number of women with their offspring on the world. The hon. and learned Member, in the Bill now before the House, introduced three new principles —first, a change of the age; secondly, an alteration in the mode of dealing with those who kept disorderly houses; and, thirdly, an alteration in the Common Law with regard to the ground of action mentioned in the latter section of the Bill. If his hon. Friend had confined himself to an alteration of the age he (Mr. C. Bentinck) would not have opposed the proposal, because he believed that such an alteration might very properly be made; but then it ought to be made on the responsibility of Her Majesty's Government. As to the second principle of the Bill, the 25 *Geo.* II. c. 26, provided for such cases, for it enabled two householders to lay information against any person who kept a disorderly house. And if that Act was not sufficient there was the 24 & 25 *Vict.*, which accomplished everything which this section of the Bill proposed to do. As to the third principle, by which an alteration of a very material kind was proposed in the Common Law of the land, he confessed he was unable to follow the logic of the hon. and learned Gentleman. It was quite plain that the hon. and learned Member had not, in drafting his Bill, consulted an experienced draftsman, who would have been informed that the pretence of referring to former Acts was highly objectionable. The hon. and learned Member said that the loss of service was a mere fiction, and that it did not prevent substantial damages being given; but if that were so, what was the reason for altering the law of the country? This loss of service, which was no bar to a proper action, was an important safeguard against actions which were not proper, and if it were done away with the door would be thrown open to extortion without limit. He could not believe that Her Majesty's Government could assent to the second reading of this Bill. He had quite as strong a desire as the hon. Member for Salford to prevent injuries from being inflicted on anyone, though he did not pretend to indulge in sentimentality, and he had been compelled to adopt his present course by a sense of duty. If Her Majesty's Government would bring in a Bill on their own responsibility he would be willing to acquiesce in any decision that might be come to. He was sorry that the Home Secretary was not in his place, but he would ask the hon. and learned Attorney General to assist him in getting rid of this tinkering Bill. He begged to move that the Bill be read a second time upon that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Cavendish Bentinck.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. NEWDEGATE said, he always did honour to courage in any hon. Member of this House, and he had before now had reason to respect the courage of the hon. Member for Whitehaven (Mr. C. Bentinck). He was far from disputing the right of the hon. Member to oppose this or any other Bill, but he lamented that the hon. Member should have selected this for his opposition, and he regretted still more the ground upon which he had rested that opposition—upon the ground, namely, that this Bill had been introduced by an unofficial Member of the House; and he had broadly laid down, that no private Member of the

House was entitled to introduce a Bill for the improvement of the social relations of the country. [Mr. C. BENTINCK: I did not say anything of the sort.] At any rate the hon. Member stated, and he appealed to himself to confirm what he said, that this was a subject which ought to be dealt with only by the responsible Ministers of the Crown; and he added that the hon. Member for Salford (Mr. Charley) who had introduced the Bill, and other hon. Members who attempt to deal with similar subjects, ought to be considered tinkering Members of the House. He thought, therefore, that the interpretation which he first put upon the whole tenor of the speech of the hon. Member for Whitehaven was true, and that he was not very much mistaken. [Mr. C. BENTINCK: You are mistaken.] In what was he mistaken? The inevitable conclusion from the hon. Member's remarks was that unless the Government introduced amendments of the law on subjects such as this, they ought to be obstructed if introduced by anyone else. ["No, no!"] The hon. Member spoke of the Government as the only responsible body in the House. Every Member of the House was responsible, and the House itself was responsible; and that as much for its omissions in meeting the necessities of society by legislation, as for the errors it might commit in its attempts to legislate. He hoped the House would repudiate the novel theory set up by the hon. Member for Whitehaven. The House had gradually accumulated to itself the chief legislative power in this country, and had also while doing this trenched upon the functions of the Executive, and he held that the House had no right to repudiate the responsibility which it had undertaken. Having thus dealt with the general allegation by which the hon. Member for Whitehaven had attempted to inflict an incapacity on the whole of the unofficial Members of the House, he (Mr. Newdegate) agreed with him thus far—that he thought that too many measures were introduced into this House by unofficial Members. This was a Parliament chosen by a new constituency—it was elected under different circumstances from other Parliaments, and he hoped that the unofficial Members of the House would limit their attempts at legislation to measures which they had reason to believe they were capable of dealing with effectually, and of carrying into law. That was the kind of restriction which he trusted the common-sense of this House would impose—for it was quite as necessary to the efficient action of this House, to the independent action of the House, as the introduction of proper measures. He would now pass to the substance of this Bill. There was a part of it—he alluded to the third clause—which the hon. Member for Salford did not seem disposed to insist upon, and he thought he was quite right. The main purpose of this Bill was the protection of girls under 14 years of age. He would not be squeamish in speaking on this subject, nor would he touch upon those religious considerations which might be very well evoked; but he said this to the House—They knew that in this country there was a great excess of female population; and he asked every man in this House whether there was any excuse whatever for the seduction of these children? That was the plain, manly view to take of this question. Apart from all questions of a strict morality, then, this seduction of children was, in every sense, a gratuitous offence, and it was therefore an offence which ought to be visited by punishment. Years ago he supported his late Colleague Mr. Spooner when he introduced a measure for the restraint of seduction; he had never regretted that he did so, and he should on this occasion support the hon. Member for Salford in following—reasonably and cautiously as he believed—in the footsteps of his late Colleague. The hon. Member for Whitehaven had observed that there were some portions of this Bill which needed to be guarded, and in that he agreed with him. But he felt the force of the objection urged by the hon. Member for Salford, to that practical restriction imposed by the present state of the law, which to a certain extent made service—that was, the engagements of the female—to be a condition inseparable from an action on account of her seduction. There could be no question that this fiction had been the occasion of very great abuse. But the House should remember that the principle of this Bill was not so much directed to the repression of that class of crime—that its primary object was the protection of mere children. He thought the case for this Bill was amply made out—that it was for the protection, to a certain extent, of all women, but chiefly for that of children. The hon. Member for Whitehaven said that there was one provision of the Bill which would enable some other persons than the parents to appear as their legally constituted defenders, and that that might lead to abuse. Well, it would be the business of the hon. Member for Whitehaven and the House to see that such provisions were introduced into the Bill, when in Committee, as should guard against any such malpractices by scoundrelly attornies. But there was another provision imported into other Acts of Parliament which he thought this Bill needed. He thought it ought to contain a clause requiring that the evidence of the child or woman who had been seduced, or who pleaded that she had been injured, should in some manner be corroborated. He thought that this would be a very proper provision to introduce into the Bill when it got into Committee; but he rejoiced in the belief that this House would not, on the Motion for its second reading, reject this Bill, which had been prepared by a competent Member of this House for the protection of mere children from the practices of vile seducers.

Mr. MUNDELLA said, he could not admit the validity of the objection which had been urged by the hon. Member for Whitehaven (Mr. C. Bentinck) that this Bill was brought forward by a private Member instead of the Government; for nearly all questions of social legislation during the last 30 years had been initiated by private Members. He appealed to the House whether the Factory Acts and numerous other Acts for the amelioration of the social condition of the people were not brought in by the present Lord Shaftesbury when he was a private Member. Nor could he agree that the flaw which had been discovered in the Bastardy Law Amendment Act of last Session was a defect which belonged to the measure as originally introduced by the hon. Member for Salford (Mr. Charley) It was entirely owing to the hasty and harassing mode of legislation pursued at 2 o'clock in the morning. While he remained a Member of that House he hoped he should be regarded as one of what the hon. Member for Whitehaven called the "tinkering Members." He had placed his name on the back of this Bill mainly for this reason—because its clauses were directed to the better protection of children against seduction. He entirely endorsed the noble and manly speech of the hon. Member for North Warwickshire (Mr. Newdegate). With every word that fell from that hon. Member he entirely agreed. He had some doubts as to the 4th clause of the Bill, but with respect to the first three clauses he could not see what objection could be made to them. He had sat on the Royal Commission with reference to Contagious Diseases, and there were certain points on which the Commissioners were perfectly unanimous in recommending an alteration of the law. The 59th section of their Report, and the final recommendation it contained had immediate reference to the evils dealt with by the first three clauses of this Bill. He might refer to the evidence of the Chief Constable of Portsmouth and the Matron of Devonport Hospital to show that the ranks of prostitution were recruited from mere children, and might mention as a fact that at Plymouth there were more than 300 children from 12 to 15 on the streets at one time. It had been brought to his notice again and again as an employer of labour that mere children of 12, 13, and 14 years were seduced by men of double their years and in a better position of life. A fearful amount of seduction was going on daily, not only between masters and servants, but in dancing saloons, and other sinks of vice in large towns. In factory towns it was heart-rending to see young girls of 15 who had been seduced, and were about to become mothers. Was it reasonable that while the Factory Act prevented a child from working more than half time till she was past 13, she should be held competent, according to the present theory of the law, to assent to her own seduction at the age of 12? If they were to be treated as children of tender age in one case they ought in another. This was peculiarly a question for the poor. The rich could take care of their children, and they knew what precautions were taken to hedge them round and prevent them from being contaminated by the sights and sounds of great cities, while the young daughter of a poor mechanic, or labourer, had to encounter all the dangers of the streets in going to and from her work, often late at night, and therefore every possible protection ought to be thrown over her by the law. It was quite notorious that a large proportion of the prostitutes in towns were children under 16, and the various police inspectors examined before the Committee on this subject expressed their unhesitating opinion that they were inveigled into brothels by the old prostitutes. He implored the House to pass this Bill, amended if they liked in Committee, so as to give some additional protection to children at all events. He did not consider the other parts of the Bill of such importance; but he should rejoice if anything could be done to lessen the terrible evil that now existed.

Mr. STRAIGHT said, he hoped that the House would allow the Bill to be read a second time, and in saying that he must add that he strongly deprecated the proposition propounded by the hon. Member for Whitehaven, that, in social reforms of the important character contemplated by the present measure, private Members were not to interfere by propounding schemes for legislation. It was a new principle for the guidance of the House he was not prepared to adopt, that when the hands of Government happened to be so full, individual Members competent for the task were not at least to attempt the alteration or removal of defects found to exist in the administration of the law. The hon. and learned Member for Salford (Mr. Charley) deserved the warmest approval for his present effort, and while his Bill was in many respects inartistic and faultily drawn, it was undoubtedly a step in the right direction. As to the second clause, it was open to the well-grounded criticism of the hon. Member for Whitehaven (Mr. C. Bentinck), who justly enough appreciated the difficulty and confusion that must inevitably arise from framing a section in one Act with a reference, for the purpose of construing it, to a clause in some preceding statute. It was most unfair and worrying to the Judges who had to administer the law, and entailed both upon them and others concerned in the administration of justice endless and unnecessary trouble. This, however, was a defect that could be amended in Committee, and did not go to the essence of the Bill. Putting the proposal into plain English, what it contemplated was, that a child of 12 should not be a woman for the purpose of giving her consent to offences upon her, but that up to 12 and 14 such offences should respectively be felonies and misdemeanours whether she consented or not. As the law at present stood, the Judges, in a natural and laudable desire to protect young creatures of so tender an age as 12, were disposed to construe the most slender evidence as indicative of non-consent. If, however, the limit were placed at 14, there would be far less likelihood of a tendency in this direction. Anything that could be done to check this wicked, and it was to be feared, far too prevalent offence of debauching young girls was a step that the House, even at the instigation of a private Member, might well undertake. In reference to the third section, he (Mr. Straight) presumed that what the hon. and learned Member for Salford contemplated was to give a less technical and more summary mode of procedure for the purpose of punishing those who, without bringing themselves within the operation of the 25th of George II., carried on a most nefarious traffic, that filled the streets of great towns and supplied their places of public resort and amusement with recruits. As things at present stood, great difficulty and expense presented themselves in the way of a prosecution, and it was often impossible to obtain that evidence of a public nuisance which would sustain an indictment. This clause of the Bill had many defects, and would require considerable alteration, but it might be turned into a tangible and practical shape. It was to be expected that on the fourth section there would be considerable difference of opinion, but in principle the view of the hon. and learned Member for Salford was right. At a glance it was an obvious anomaly, that a woman having sustained the personal injury of seduction should have to sue by some other person—either her parent or her master—and that before she could recover damages such parent or master was bound to show loss of service by reason of such wrongful act of the defendant. The result of this was to be found in numerous decisions in the law books, where in cases, no doubt disclosing great hardship, the Judges had leaned to an elasticity of construction, that, for instance, had led to the making of tea being regarded as a service sufficient to meet the demands of the law and to justify a plaintiff to recover. He (Mr. Straight) looked at the question from no sentimental point of view, but he held that it would be far better to establish some legal landmarks of a practical and common sense character by which Judges might hereafter be guided. To him it seemed that the far better course would be to make the action for seduction a personal action to be brought by the woman herself, and to require her, as in actions for breach of promise and in proceedings for bastardy orders, to find corroboration. While he could not accept without reserve the proposal upon this point made by the Bill, he would unhesitatingly vote for the second reading, in the hope that the subject might be fully and carefully considered, and that some fair and intelligible alternative might present itself which would put an end to a great social as well as legal anomaly.

The ATTORNEY GENERAL said, that notwithstanding the severe remarks of the hon. Member for Whitehaven on the neglect of the Law Officers of the Crown in not proposing legislation on this subject, and for their general ill-success in the legal measures they did propose, he could not take on himself the responsibility of objecting to the second reading of this Bill. Indeed, one of the clauses of the Bill was copied from the Bill introduced by the Government last year, and therefore whatever objection existed as to the phraseology of the clause was equally good against the Government clause. The first alteration of the law provided in the second clause was a decided improvement of the existing law. The present law drew a distinction between the offence of an improper connection with a girl under 10 years, and one between that age and 12 years—the former being a felony punishable with penal servitude or two years imprisonment with hard labour, and the latter a misdemeanour; and in neither case was the consent of the girl held to have any effect on the criminality of the offender; and the present Bill proposed to extend the ages to 12 years and 14 years respectively. The first of these alterations was an improvement in the law of which he (the Attorney General) warmly approved. At the same time, he thought the better course would be —instead of making the alteration in a special Act relating to Bastardy to alter the 24 & 25 Victoria, which was the Consolidation Statute relating to offences against the person—so as to make the alteration a part of the known criminal code of the land. He fully shared in the noble sentiments and manly feelings of the hon. Members for North Warwickshire and Nottingham, but he was sorry to say that as a lawyer he was unable to give his support to the second alteration—that which raised the age from 12 years to 14. And his reason was this—the law of England—and indeed the law of all the European nations—fixed the age at which persons were competent to consent to marriage at 12 for women and 14 for men. That being a well-known and clearly established principle of English law he was not prepared to make sexual connection with a girl over 12 years a criminal offence where the girl was a consenting party. With respect to the third clause — that which made it a misdemeanour to harbour girls under 16 for the purposes of prostitution —the hon. Member for Whitehaven (Mr. C. Bentinck) was in error in saying that the present law was sufficient. The present law was intended to deal—and no doubt to some extent did deal successfully— with disorderly houses. But the object of the present clause was to prevent, so far as it could be prevented, the harbouring of young girls for the purposes of prostitution. This was a traffic which might be carried on without any obvious outrage of decency; but while he admitted it would not be very easy to put it into effect, this particular clause was directed against a real evil which no existing law touched; and he could not take on himself the responsibility of refusing to read it a second time. The hon. Member for Sheffield (Mr. Mundella) had fallen into an unintentional error in speaking of the age at which girls were constantly consigned to prostitution in our great towns. He had greatly exaggerated the extent to which girls of tender age were engaged in prostitution in our streets. In all the towns where the Contagious Diseases Acts had been in operation the traffic in girls of that age was absolutely at an end. He felt it was very important that this statement should be made. So much for the first two portions of the Bill. With regard to that part of it which related to actions for seduction, he was not prepared to give it his support. An action for seduction was an anomalous proceeding, and the law in that respect was not in a satisfactory state—it was founded manifestly on a fiction which was contrary to common sense. The law was—You must show some kind of service and loss of service in order to found the action; but that done, the damages need not be limited to the loss of service. Sixpence might cover the injury sustained from loss of service, and the damages of £10,000 be awarded for injury to the feelings. He would not stand up for such a state of the law; but if they were to alter it, he would prefer doing so in this way:—The action should be at the suit of the woman herself; but he would not give a right of action for what he might call an ordinary seduction—that is, an improper intercourse between a young man and a young woman—an action should not be allowed or maintained except where there had been on the part of the man something like fraud or violence. There were many cases in which women had obtained verdicts where they had not taken proper care of themselves. The more we made a woman feel that she was to look after herself and not yield to inducements to go wrong, the better in his judgment would it be for the whole female sex. If he could alter the law he would alter it in the direction he had indicated. The alteration now proposed seemed to be in the wrong direction; for, though it got rid of one particular fiction, loss of service, it would encourage fictitious actions, and so open the door to abuse. He would rather repeal the present law, and pass another based on sounder principles, than alter the existing law in a wrong direction. While assenting to the second reading of the Bill, he gave the hon. Member fair notice of what was implied in that assent.

Mr. A. EGERTON supported the second reading of the Bill, with some hesitation, because hon. Members scarcely knew what it was they were discussing. The second section of the Bill was to be re-modelled, the third was to be withdrawn, and the fourth was to be materially altered; so that the House was now placed at a serious disadvantage as to the actual proposals that were to be embodied in the Bill. No one could doubt the serious nature of the grievance proposed to be remedied, but the proposed change in respect of age was a serious one, and ought not to be made without great consideration.

Mr. CANDLISH was glad to hear that the Government intended to support the second reading of the Bill, though he regretted that the Attorney General had shown hostility to the second part of the second clause, which raised the age at which consent could be given, from 12 to 14 years. He hoped that the hon. and learned Gentleman would yet be able to see his way to the acceptance of the provision.

Mr. GATHORNE HARDY said, they ought clearly to understand what they were doing. He understood that the assent of the Government was given to that part of the second section which involved the principle that up to the age of 12 no consent should be legal. It was quite true there might be grievous cases of hardship above that age; but still it was necessary to be cautious in going further. No one would wish to prevent any proper interference with immoral trading; but the clause relating to this subject would require to be made more accurate and definite. In such measures they should not look merely to philanthropy, but the House would do well to consider the moral effect of legislation which went too far. There were no trials for seduction which did not do more harm than good; and, if convictions were secured, the fact that some suffered did not check others whose imaginations and passions were aroused by the details of the trials. It was difficult to keep the Courts clear of young men, and women were sometimes only kept out by forcibly excluding them. An increasing number of these cases would be the means of increasing the evil. We must not, for the sake of punishing the seducer, encourage young women to rely upon legal compensation. It was not the really virtuous who were ready to expose their shame; and there was at least danger that hon. Gentlemen with the best intentions would only encourage the vicious. He hoped such would not be misled by the desire to do what was morally right into promoting measures which would encourage what was morally wrong.

Mr. EYKYN, whose name was on the back of the Bill, said, he believed its operation would be beneficial, and that it would do something to remove a blot and a stain upon our civilization. He had recently visited the East-end of the metropolis, and he could say with confidence that the legislation would prove beneficial in that quarter. He hoped the hon. Member for Whitehaven would not put the House to the trouble of dividing.

MR. CAVENDISH BENTINCK said, that as his case seemed to be admitted by the House and by the Government, he would not press the Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Tuesday* 20th May.

METROPOLIS BUILDINGS ACT AMENDMENT BILL—[BILL 54.]

(*Dr. Brewer, Mr. W. M. Torrens, Mr. McArthur, Mr Locke.*)

SECOND READING.

Order for Second Reading read.

DR. BREWER, in asking the House to read a second time the Bill for amending the 55th clause of the 7 & 8 *Vict.*, c. 84, which he had had the honour to lay before them, said he had felt great confidence that, unless he failed signally in his simple narrative of the facts and history of the case, he should carry the House with him. In the year 1844 the Government of the day entrusted the then Lord Lincoln to bring in and conduct through the House a Bill for the regulation of buildings, new and old. It consisted of 120 clauses; it contained 15 closely printed pages of Schedules, with 8 lithograph diagrams, all referring to the height and thickness of the walls of warehouses and private dwellings. In the 55th clause of the Act, however, by the abrupt introduction of four words in the 7th line, one of the three methods by which the metropolis was supplied with meat—namely, by animals bought by the retail butcher, and kept by him in his private lairage, to be slaughtered as and when required to supply demand—was, after the expiration of 30 years, to be abolished. He asked any experienced Member of the House whether legislation vitally affecting the food supply of this metropolis could be fairly dealt with, stifled by a position so cramped as this? This section of the 55th clause would come into operation next year (1874). It was a bold prophecy of the Government of the day to affirm what was to take place in 30 years' time—a bold forecast to pass a sumptuary law, with this simple disadvantage above others of its class, that it prejudicially and not beneficially affected the cost of living of the common people—a law interfering with a trade of primal supply and demand—a law to come in force 30 years after its enactment, and this without a single provision for rendering the carrying of the law into effect practicable. His case did not require him to deny, but to acknowledge the gross and flagrant neglect of needful sanitary precautions and conditions, of social conveniences and the duties of humanity which led to the outcry against intramural slaughter-houses. He took part in that outcry. That the private and public slaughter-houses, as they then existed, must be dealt with by the Legislature the metropolis felt and demanded. But how dealt with? By means of extermination, as contemplated by this clause, or by the means suggested both by the Select Committee to whom the House referred this subject in 1866, and in conformity to suggestions made by a Committee some 12 years before, and on whose Report the Government took action, resulting in the creation of a system of inspection and licensing, with jurisdiction given to local governing bodies in conjunction with the magistrates in petty session, empowering them to grant or to refuse licences to any private or other slaughter-house which was unsuited for that object, or to discriminate and licence either for the killing of beasts or sheep, as to them seemed suitable — a system confessedly beneficial, and, wherever carried out faithfully and in the true spirit of the Act—absolutely and undeniably successful. It need not be dwelt on here that in some parts of the metropolis the local governing bodies did not appear to have been educated up to the required standard, and that sheds had been recommended for licence to the magistrates, ill-adapted for the purpose. This was, perhaps, a blot in the Act, but one easily hit and easily erased. What would be easier than to require the magistrates, as they acted in granting or renewing the spirit-dealer's licence by calling in the police attached to the district to ascertain the character of the houses in question; so in granting or renewing licenses for slaughter-houses to call in the medical officers of health and Inspectors, and in any doubtful case to require the shed to be visited, withholding the licence till the report of the visitors was received, and then dealing with the case summarily. Add any further security of additional conditions precedent to application for the licence, as to apparatus, ventilation, and other accommodation, and all these private slaughter-houses would be, what the vast majority already were, as clean and wholesome as any private gentleman's kitchen or larder. But these useful amendments to the Licensing Act were rendered impossible, till the House had dealt with this section of the 55th clause. It was on other grounds also impossible to continue the clause as it stood. The endless litigation it would entail, the great uncertainty felt by legal men as to the meaning of this clause, taken in conjunction with the 56th and 58th clauses—the doubt as to the interpretation of the terms used, must lead to the repealing of this part of this section. If the House would look at the 56th clause, they would see that it purported to give direction to the trade how they were to proceed to obtain a suspension of judgment, a mitigation of penalty, or, even in conjunction with the 57th clause, immunity from prosecution in carrying on their trade, perhaps; but the 56th clause was so obscure that, as he was advised, the legal profession could not come to a decision as to what interpretation to put on it. He had in his hand the opinion of two of the most eminent counsel in London, that of Mr. Manisty and Mr. Poland, in relation to part of Clause 56, which he would read to the House—"We have carefully considered the first enactment in Section 56, and are unable to give any meaning to it." And as to Clause 58, which enabled the prosecuted butcher to have the matter tried by a jury, there was no little obscurity as to what was to be submitted, whether the fact, or the law, or, further, the function of legislation. Then, as to the appeal to the Court of Queen's Bench. Was it intended that Court should decide whether each of the 1,100 butchers who were to be brought before the Court had done all that science had directed to render their trade innocuous, and, if so, whether they were to go a step further and say to the Court below—"Your interpretation of the law is right, but you shall not carry out your sentence?" A pretty trap for a class of tradesmen! A position intolerable! The House could hardly, in this view, reject his (Dr. Brewer's) Bill. No man could have made himself acquainted with the operation of the system of inspection and licensing without admitting that, in this direction, the Legislature have proceeded with marked success, and that if in parts of Westminster, the City, and south and east of the metropolis, the system had partially failed, the failures were attributable to the neglect of the Inspectors or local governing bodies. Of course, if Inspectors, not altogether uninfluenced, have set their minds on abolishing the live meat markets altogether, and of driving the metropolis into the dead meat supply exclusively, it cannot be surprising that they should fail to see the force of that evidence, which the Select Committee of the House, whatever their private predilections, could not withstand. This only would he add, that he could name men of high repute in sanitary science who perfectly agreed in his assertion of the success in a sanitary point of view of the action of the Legislature in passing the Licensing Acts, and in the conclusion of the Select Committee, that private slaughter-houses—if well kept—were not injurious to the public health. It was not wonderful after what he had said that the Building Act of 1844 found no favour in the House; accordingly they saw that in 1855 the Legislature repealed 111 out of the 120 clauses of which the Act consisted, and in 1866 referred the subject-matter of this section of the 55th clause to a Select Committee consisting of 21 Members, with the following Order of the House—

> "That it be an Instruction to the Committee on 'Trade in Animals' that they enquire how far it is desirable to prevent, restrict, or regulate the slaughter of animals in the metropolis, or other populous places, and to report their opinion thereon to the House."

The Committee consisted of Mr. Milner Gibson, Lord Naas, Lord Cranborne, Mr. Graham, The O'Conor Don, Sir Matthew Ridley, Mr. Banks Stanhope, Mr. Graves, Mr. Alderman Salomons, Mr. Edward Egerton, Mr. Goschen, Mr. Cogan, Mr. Carnegie, Mr. Dent, Mr. Holland, Mr. Leader, Mr. Norwood, Mr. Wilbraham Egerton, Sir James Fergusson, and Sir Morton Peto—Gentlemen of great influence, and representing all views and all interests on the subject. In the 13th paragraph of the Report of that Select Committee, it was declared that "the live meat markets are not unhealthy in themselves, nor are slaughter-houses, if well kept, injurious to the public health." Although they had a tendency to aggregate round them trades which were objectionable. Here, then, fell to pieces the whole groundwork on which this prohibition in the 55th clause, in relation to retail butchers' private slaughter-houses was founded, for it so happened that the clause was preceded by a Preamble, alleging the reason for the prohibition of the trades contained in the clause—

> "And now for the purpose of making provision concerning businesses offensive or noxious, be it enacted with regard to the following businesses:—Blood-boiler, bone-boiler, fellmonger, soap-boiler, tallow-melter, tripe-boiler, slaughterer of cattle, sheep, or horses. . . . from the expiration of 30 years, it shall cease to be lawful to carry on such business within such distances, &c."

This business of butcher's private slaughter-house the Select Committee of the House declared "not to be injurious to the public health" itself; but it was in this clause classed arbitrarily with businesses both offensive and objectionable, and further it was no less arbitrarily coupled with the knacker's trade, to which in every essential particular it was antagonistic. Why tie the butcher to the knacker? Cattle and sheep were killed for human sustenance; they were given for food to man by Him who had the right so to dispose of them. They were killed to support the existence and re-invigorate the exhausted strength of man—that was the express object for which they were bred and reared. Was it so with horses? Were they not killed because they were diseased, for the most part; never, surely, in fulfilment of the object for which they were reared? It mattered little how far from human habitation tallow was melted, blood and bones were boiled, or horses were slaughtered, but it made all the difference in the world, especially to the humbler stratum of society, whether the flesh they depended on for their sustenance—their meat supply on the only day in the week perhaps on which they could afford the luxury, were fresh, wholesome, and attainable, which it would not be if private slaughter-houses were abolished. Up to this time the metropolis had been supplied by three methods—1st, by country killed meat—the dead meat market; 2ndly, by meat slaughtered in London by carcase butchers, who sent it to the wholesale markets; and 3rdly, by meat slaughtered in London, as and when required, by retail butchers in their private slaughter-houses, all now duly inspected and licensed, to meet immediate or known demands. The House must be under no misapprehension as to the position in which London would immediately find herself if this part of the 55th clause of the old Act were not virtually repealed—namely, in the substitution of one source of supply, and that the least reliable, for the three sources now and from time immemorial enjoyed by this metropolis. He was warranted in saying that few persons comparatively seemed to know or realize what the dimensions of this metropolis really were, and what the magnitude of the question before them. They read letters in the Press affirming that London covers an area of 10 square miles—again, that it contained little short of 100,000 houses; and in the Select Committee a Member of great experience and weight in the House, Question 5013, said—

> "I asked the question upon the supposition not that there is to be one public slaughter-house, but that there are to be distinct slaughter-houses, and that they will be within a mile or two."

Schemes had been proposed, in many cases, on the hypotheses to which he (Dr. Brewer) had referred. But what were the real factors of this sum? What was the actual state of the case? Why, that London covers not an area of 10 square miles, but of 117 square miles. And was this metropolis, with its area of 117 square miles and a population of 3,500,000—the largest meat consumers in Europe—to be tied down to the dead meat market alone? His hon. Friend the Member for South Norfolk (Mr. Clare Read) saw this clearly enough, for he stigmatized his as a retrograde policy, in seeking by his Bill to discourage the dead-meat market scheme for the metropolis; but there must exist no doubt on that score. Let him ask why the carcase butcher's trade should be tolerated when the retail butcher's trade in his own fresh-killed meat was abolished? Nay, the Report of the Select Committee would by the House be deemed conclusive on this head, for finding fault with the existing practice of the carcase butchers. In Paragraph 16 the Committee added—

> "The slaughter-houses of retail butchers stand on a different footing; their abolition would cause great hardship to many butchers, who have slaughter-houses adjoining their shops, and can slaughter animals as they require them under their own superintendence."

But the objection went much further than to carcase butchers; it extended also to public *abattoirs* in very large towns altogether. The Select Committee, under evident misapprehension of the nature of the evidence he was about to tender, brought up a witness from Liverpool, whose complaint was that the whole neighbourhood of the public slaughter-house there was rendered noxious by reason of the effluvia and decomposition going on, consequent on the number of animals brought together to be killed, and the neglect to remove the blood and other matter which found their way into the public sewers, and caused increase of fever and other zymotic diseases. One leading Member of the Committee got out of the witness that the district was suffering great deprivation consequent on loss of employment, which the witness seemed unable fully to appreciate, but the House would. The mortality in Liverpool in the decade 1851 to 1860 had been 33·32 per 1,000, or 100 to 3,000. In the year preceding his evidence it appears to have risen to 37. In 1872, however, it fell to 27·00 per 1,000 (81 in 3,000), owing to the more prosperous trade and condition of the people. London, from 1851 to 1860, had a mortality of 27·76 per 1,000; but in 1872 it fell to 21·40 per 1,000. But if disease be due to private slaughter-houses, it was London which should have had the high mortality, and not Liverpool; because London, and not Liverpool, had in it 1,100 private slaughter-houses, and Liverpool had not one. To revert once more to the dead meat market. From the evidence, and even from the Report of the Select Committee, it was clear beyond dispute that London could not be adequately supplied with meat from this source alone, for although in cool and fresh seasons of the year, London, at enhanced prices, could be supplied to a great extent with dead meat, yet in hot and sultry weather—a period extending over three months fitfully—London could not depend on the dead meat market. The evidence was irresistible that there were seasons wherein meat became tainted, within the eight or ten hours after being killed required for the "setting of the flesh," and then on the butchers' private slaughter-houses not his customers alone, but the whole trade of the metropolis mainly, if not wholly, depended for their supply of fresh, wholesome meat. Mr. Butler gave evidence that in transmitting a consignment of meat from Aberdeen to London in the month of May he lost by heat 973 stone; and being asked if it was a very uncommon occurrence for him, his reply was—"It occurs frequently through the year." He need not remind the House that it was the movement or friction of the fleshy particles which caused decomposition; and that the setting of the carcase was indispensable to its being moved with safety. In hot weather some of the finest fat beasts—short-horns weighing 1,200lbs and over, and worth to the butcher in his own lairage £35—were known to set very imperfectly, especially if crowded into a confined area with many hundreds of other beasts, huddled together by mere slaughtermen, who had no regard for the ultimate condition of the meat and no interest in its sale. And here he must notice a most gratuitous charge against a whole class of London tradesmen — namely, that of cruelty to the animals they had purchased for their private slaughter-houses. That would be sheer suicidal folly. No man pursued evil as evil, and for its own sake, in direct opposition to his interest and the strongest motives which could influence human actions. If a short-horn in fine condition were over-driven only half-an-hour the flesh set badly and the market was lost. If the beast had a bruise—and it bruised very easily—the joint in which it occured was unsaleable. Surely, they would take the best security for good treatment in the interest the man had in the comfort and ease of his beast no less than in the pride he felt in the condition of the meat which he displayed in his shop front. The still more incredible statement that retail butchers objected to the doing away with their slaughter-houses because they were now enabled, undetected, to purchase and slaughter diseased beasts was easily disposed of. First, he asked, where was it that the rejected contract meat—the skin of which, like a fine layer of parchment, tightened on the shrivelled flesh—came from? Invariably, in his experience, from the dead meat supply. It was notorious that breeders and feeders did not care to send their best meat when they knew that the worst would happen to their cattle either at the port, or at many miles from their purposed destination or market. There were no means of telling, save very generally, whether meat sent to the dead meat market was killed in the early stages of disease, because the journey dulled the "bright gloss" of all dead meat, whereas there was no better security against the purchase of diseased meat than on obtaining it from the retail butchers' private slaughter-houses; because the rest the beast obtained in the private "lairage" allowed the disease, if it existed, to develop, and the carcase lost its market; its condition was obviously and apparently deteriorated, and as to its escaping undetected, this was incredible on every score. He had said that to a great extent London could be supplied with dead meat in cool and temperate seasons, but only at enhanced prices. They must examine into the causes of this enhancement. First, there was the reason given in the Report of the Select Committee—

> "Compulsory slaughter at a port, like compulsory slaughter at a market, is more expensive to the butcher, hampers the trade, and will raise the price to the consumer."

But, further, the Select Committee of 1866 examined Mr. Salmon—manager of the traffic in the cattle department of the South-Western Railway—who stated that—

> "The railway could never carry dead meat so reasonably as it did live meat, in consequence of the double porterage required for dead meat, and the loss and risk in transport incurred by the managers. The carriage of one ton of dead meat from Liverpool to Manchester," he added, "costs 18*s*., whereas a waggon for seven beasts costs only 15*s*. 6*d*. Live meat," he said, "cannot deteriorate to the extent dead meat does in transit, and this results from the simple fact of the flesh being moved."

But, correct as this observation was, other witnesses bore testimony to the injuries sustained by dust, and the smoke from the funnel finding its way through the venetians of the meat vans. Witnesses further stated that the packing of several carcases in sacks generated heat, which accelerated decomposition. In the conclusions at the end of the evidence the Select Committee drew attention to the fact that "the trade generally objected to a dead meat system, that the supply was too irregular to be relied on;" and that the consignees lost their market through this irregularity; and that this extended to the condition of the meat as much as to the time at which it was received. They stated that they had hitherto met this irregularity by buying cattle and keeping them alive in their private "lairs" to slaughter when required. Meat so dealt with was worth more by 30*s*. a-head than if obtained at the public markets. In Answer (4,568), Mr. Giblett estimated the loss from this source alone, weekly, on 6,000 beasts, 30,000 sheep, 5,000 calves, and 1,000 pigs, to be £14,000 He had there omitted the 15,000 lambs killed weekly during spring. "Of course," he added, "this loss must fall on the consumer." A further enhancement consisted in a practice, well known in the trade, of passing the meat nominally through successive hands, each requiring a percentage—a practice, in the event of a panic, likely to prove most expensive to the trade, and, consequently, to the consumer. But the most serious loss, and consequent cause of enhancement, whether we considered it in its direct deprivation of numerous families of their meat in a fresh and unobjectionable condition, or in its ultimate effect of rendering the whole meat supply dearer, was the loss of what was technically known as the offal, by which was included all the esculent parts of the animal except the two sides. He was informed the offal of 20 sheep would afford food, which, when fresh killed, was much sought after, for 100 individuals. When they considered the relation in which those customers stood to others, they found that they were dealing with little less than 250,000 persons, many of whom were dependent on that food for their weekly meal. Now, it was plain from the evidence, and admitted by the Report of the Select Committee, that this mass of food was lost to this metropolis, if they deprived it of its live meat markets, as this offal did not pay for being moved. The demand for it was greatest on Saturday night; the customers waited about the butchers' shops, and, if they could not be supplied at the time, they were informed at what hours the butcher intended to kill, when they again applied, and were able to procure it. By refusing his (Dr. Brewer's) Bill, the House would be cutting off the meat supply of thousands of families to whom occasional animal food was a necessity, whilst, unfortunately, it was a rare luxury. The alternative plan, in place of that actually in operation, was a system of public slaughter-houses established at proper intervals throughout the metropolitan area. Paris proper, said a popular itinerary which had gone through many editions, contained 52,000 inhabited houses. He should think this statement was much under the mark. London, said a writer in the public Press, contained nearly 100,000 inhabited houses; that he knew was ludicrously wrong. This metropolis in 1872 contained 417,348 inhabited houses, of which 243,697 had been built since 1849. The table was of new houses since 1849, 243,697; new streets, 6,277; new squares, 70; number of miles added, 1,111. The metropolis of 1873 was not the same with that of 1844. It was more extensive than 1844 was over the metropolis of 1664, which contained 65,000 houses; and they had no reason to believe it would be less like its former self in 1904 (30 years hence). The metropolis in 1844 consisted of about 142,908 inhabited houses; to which there had been subsequently added about 274,440, and 1,311 miles of streets, consisting of about 7,400 new streets. Paris proper contained 1,800,000 of population; this metropolis contained 3,500,000. Paris had three large and two smaller *abattoirs.* The foulness of their condition was attested by some of the French themselves, who said they could smell them for several miles distance. They constituted colonies of the largest, fiercest, and fattest rats seen in France. The population of slaughter-men were the wildest and the most dangerous to social tranquillity in Paris. What number of *abattoirs* would London require? The amount of animal food taken per head in London exceeded that of any other European capital, and the number of those in proportion to the population attending the meat shops was also greater. England, of all flesh, consumed per head 136 lbs., of which 78 $\frac{67}{100}$ lbs. was beef. France, of all flesh, consumed per head 46 $\frac{3}{10}$ lbs.; Prussia, 35½ lbs.; South Italy, under 27lbs. If nine square miles of inhabited houses would require at least one public slaughter-house, then the 117 square miles of the metropolis would exact 13 *abattoirs.* There must in the whole metropolis be 2,200 compartments, at least, for retail butchers' meat. Proper railway communications and roads; access for 2,200 carts; lairage for 8,000 bullocks, 30,000 sheep, 15,000 calves, 17,000 lambs, and 2,000 pigs — these were some of the essentials for the requisite *abattoirs.* How a number of *abattoirs* within the 117 square miles, not more than from two to three miles from the shops of retail butchers throughout the metropolis, was to diminish the evil of driving cattle through its streets, it would be hard to show. But where were these public *abattoirs?* Where were they to be placed? Where were the funds to purchase the sites and construct the needful buildings to come from? One of his stoutest opponents had suggested that the butchers must pay for them; but was not that saying that the mass of consumers must, by enhancement of the price of meat, pay both the butcher's cost and his risk? Where, then, was the substitute for the two sources out of the three by which the metropolis had been hitherto supplied? The whisper was—the Metropolitan City Market. But where were the approaches; where the provision for the demands of trade and for the convenience of purchasers? No unprejudiced person in the City even assumed that their market was, or could be, by any outlay adequate; the radical defect being the approaches, which must ever seriously impair the general usefulness of this market. They had seen what a small excess of demand over supply could do, in any article of primal necessity, to create panic and raise its price three-fold in coals. Cut off two out of the three sources of supply on which this metropolis depended for meat, and what was that but to enact that none but the wealthiest should be privileged to purchase food in the capital? It was merely trifling with the people of this metropolis to point to Edinburgh or some Continental capitals as examples to be followed. No parallel between Edinburgh and London could be drawn, save for the sake of contrast. In situation, easy access, the neighbourhood of its mountain pastures, in its nearness to the sea, in its streets, down which the breeze travelled accelerated by the narrowing of the valley by the Calton Hill, the Castle Hill and Arthur's Seat. Then, the mean temperature, the prevailing cool winds, its cattle hill-born and hill-reared, their size and compactness—the carcase being cool and easily set—form together a simple contrast in every particular to London and its neighbourhood. He did not desire to prove too much. He asked what his opponents were bound to show to the House in order to defeat the second reading of his Bill? Not that some other method than that into which demand had moulded the present means and method of supply was practicable—not even, to some minds, preferable—but that the present mode of conducting the trade was inconsistent with the health of the community, and that nothing short of its total abolition and suppression could satisfy these primal requirements; but that they had not shewn and could not shew, for the House had the verdict of the authority it deemed of highest credibility—namely, that of a Select Committee—a verdict based on evidence absolutely irrefragable, that the butcher's private slaughter-house was not a trade injurious to the health of the people. But, it was urged, there were accidents to which the trade was obnoxious, such as the tendency of other trades to gather round it which were objectionable or offensive, and that if the houses were not well kept they were noxious. But could either or both of these be valid reasons for abolishing a useful, if not an absolutely needful, business? Look for a moment at such a proposition. Were not the areas of private houses, if not well kept, even more dangerous to public health than slaughter-houses? Were not private and public stables, the builder's trade, the baker's, and a score of others? In 2,181 complaints lodged by the police there are 869 against bakers, 76 against confectioners, 26 against builders, 40 against dyers, 66 against eating-house keepers, 63 against engineers and founders, 23 against fishmongers, 76 against hotel-keepers, 53 against potters, and 83 against restaurants. In the local nuisances books, for one complaint against private slaughter-houses there were a score against private and public stables. Well, what would the House do? Would the House leave untouched the stables of the sons of wealth and luxury and deal only adversely with the meat shop of the humble sort? Let such a phrase remain in the region of clap-trap, let not their acts make the phrase a reality. He knew of no source of disease so fruitful of fatal consequences as that of interfering with the food supply of the people, which precluded their obtaining fresh and wholesome meat, and drove them to tainted and deteriorated victuals. This was the Alpha and Omega of his advocacy of this cause. What was the history of the typhus fever epidemic here or elsewhere? Scarcity of wholesome meat and the resort of the humble classes to half-decomposed food. That was the secret of the "pestilence that walketh in darkness, and of the sickness that destroyeth in the noon-day." The great nitrogenizer of the blood was good fresh wholesome animal food in climates like ours. The great efficient carbonizer was defective or deteriorated food which scarcity forced on the humbler classes. What was the alternative here proposed? Health, with easily cured disorder; or disease, with the tendency of slight maladies to degenerate into diphtheria and soft mortification of the palate and face. Look at the way in which those hideous ills were gaining ground on the Continent, especially the South, where for revenue far more than for sanitary motives these centralizing schemes were enforced. He would not enter here into the recent scientific investigations, nor into the proofs afforded by history, sacred and profane, of the unwisdom of our crusade against the slaughtering of beasts for human food in the cities of our Empire. He would not believe the City of London could be so ill-advised as to oppose his Bill, under the impression that thus the monopoly of the supply of the whole metropolis would be thrown into their hands. If such a whisper were credible, the sooner the hallucination were dispelled the better, for no Government would attempt so insufficient and unwise a scheme. That the attempted forcing of the dead meat market would enhance the price of meat in the country markets might, he thought, be admitted. The evidence before the Select Committee pointed that way; but let not the farmer or his friend rise at such a bait. The farmer's real interest would be found in the long run identified with that of the consumer and not with the speculator, who would pocket all the advantage of the panic he had created and fostered. The hon. Member for South Norfolk called this a retrograde policy. Well, he (Dr. Brewer) was not sure that in the face of the famine price in coals—brought on by that very irregularity of supply to which the conclusions printed at the end of the evidence of the Select Committee drew the attention of the House as the result of abolishing the live meat market, as it existed now in the metropolis—a retracing of their steps would be unwise. He was not ashamed in the face of the great contrasts of gigantic fortunes with struggling mediocracy and pinching poverty; in the face of that weight of rating, which the rejection of his Bill would inevitably greatly increase; in face of the dearness of the first necessaries of life, which was causing the middle trading classes to stagger, and driving the vast body of professional men to their wits' end, to glide back from that uphill course of interfering with trade, which always ended in making supply more expensive, to the first principles of legislation, and to follow the advice of Jeremy Bentham—to let trade alone; to interfere only when the greatness of the abuse rendered it absolutely needful, and then no further than was absolutely needful. He moved that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Dr. Brewer.*)

MR. F. S. POWELL, in moving, as an Amendment, that the Bill be read a second time that day six months, said, that his experience as a Sanitary Commissioner and as a member of the Sanitary Committee of the Paddington Vestry, had induced him to oppose the maintenance of private slaughter-houses in London, as proposed in this Bill. He thought that the success which had attended the abolition of private slaughter-houses in Glasgow and Edinburgh was a sufficient reason why the same example should be followed in London. The valuable and exhaustive Report of Dr. Thudichum to the Medical Department of the Privy Council in 1865 might be advantageously consulted, and should induce the House greatly to restrict the number of private slaughter-houses in London, and to place them under severe regulations. The Blue Books contained much evidence to the same effect from medical witnesses, who stated that the blood and other emanations corrupted the sewers, and that these private establishments were almost always a nuisance. They rendered the inspection of meat much more difficult, and whenever diseased meat went into consumption in large quantities, the public health was prejudicially affected. The effect of the Act, which was to come into operation next year, was not to abolish private slaughter-houses altogether, but only to place them under stringent restrictions. All the large towns had special arrangements or by-laws by which these places were brought under sanitary control and constant supervision; but the metropolis had no such by-laws. The authority in London which would grant licences would be the magistrate, whereas the licensing authority ought also to be the authority that inspected. That was the recommendation of the Sanitary Commissioners. He trusted that Parliament would not abandon a Bill passed 30 years ago with due deliberation, and with ample notice to the interests concerned. What was now wanted was a public authority to construct public *abattoirs* in convenient localities in the metropolis, and to regulate these places. To pass the present Bill would be, however, to introduce a state of things that would be simply intolerable. The best course would be to withdraw the Bill, and submit the whole subject as *res integra* to a Select Committee. Although this might be said to be a vestry question, it was also a question of Imperial proportions. They lived in London, which was, in truth, a great kingdom with 3,500,000 inhabitants—a congestion of population such as had never existed on the surface of the globe. Great reforms had taken place in the sanitary condition of London. There was the Main Drainage, which was a great honour to those who designed and carried it out. There was a water supply which, considering the difficulties to be overcome, was admirable, and there were in every parish men labouring with valuable but obscure toil to mitigate the evils attendant on such vast accumulations of population. He asked the House not to take a retrograde step, as compared with the wisdom which had characterized the Legislation of that House and the action of those entrusted with power, by passing this Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Francis Powell.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. LOCKE observed that by the present law, all the persons who had slaughter-houses in the metropolis would be compelled to shut up such places next year, and then the question would arise, where were we to get our supply of meat? One *abattoir* had been built, and that by the Corporation of the City of London, but it was no joke to build an *abattoir*. So expensive was this place, and so badly did it pay, that the City of London had never built another, and they had never been able to induce anyone else to build one. If it were really intended to shut up all the private slaughter-houses next year, some one ought to calculate how many *abattoirs* would be wanted, and what would be the expense of constructing them. But even if they were built, he doubted whether they would be of any benefit. In any case, the people who carried on this trade in private slaughter-houses said that no substitute had hitherto been provided. They had laid out their money upon this kind of property, and it was a folly to say that these establishments, which were kept clean, were more detrimental to public health than a mass of slaughter-houses jumbled up together and called an *abattoir*. In his opinion, London could not be sufficiently supplied from *abattoirs*. Why should not this Bill be read a second time and allowed to pass? It was useless to compare London with Paris on a subject of this kind. London was a meat-eating place; but what was Paris in comparison with London, and what was a Frenchman in comparison with an Englishman? The thing was absurd. With the ounces of meat that a Frenchman ate and the pounds that an Englishman ate there was no analogy between the two cities. In legislating for the metropolis they were legislating for a place which was different from every other. He had been in *abattoirs* and in slaughter-houses also. On the Home Circuit, he had had the honour of being one of the wine treasurers; and, in that capacity, had to look after the wine. The place they selected for their cellar at Kingston was at a butcher's, and next the slaughter-house, and he recollected very well that that cellar was perfectly free from any disagreeable smell. He had the satisfaction of seeing a calf slaughtered close to that cellar, and there was not the slightest inconvenience arising from it. The place was as clean and nice as it was possible for anybody to conceive, and this was natural, because a respectable butcher could not afford to keep his meat close to a dirty slaughter-house. The Bill simply proposed to continue the present private slaughter-houses, which caused no inconvenience, and he should support the second reading.

MR. M'COMBIE said, his hon. Friend had put the short-horn breed of cattle in a very high position. As a Scotchman and a breeder of Scotch cattle, he would beg to refer his hon. Friend to the weekly quotations in the London market, where the Scotch cattle were always placed at the top, and beg likewise to refer him to the decisions during the last six years of the Smithfield Club Show. He would find that four out of the six animals that gained the gold cup were Scotch cattle, and bred in Scotland, and not short-horns. If the private slaughter-houses were abolished, there would be a meat famine in London in hot weather, and the offal would be lost to the poorer classes. No doubt, if private slaughter-houses were a nuisance and prejudicial to health, they ought to be put down; but he could not agree in the statement that they were a nuisance. They were kept under the strict surveillance of the police, and from personal knowledge and inspection, he could say that they were most clean, and every attention was paid to their sanitary arrangement, with a constant supply of water running through them. Now, who were the parties most exposed to the influence of the slaughter-houses? It must be the butchers and their servants. Let any hon. Member visit the London cattle market on a Monday morning, and examine the bodily strength of the butchers and their servants, and they must come to the conclusion that there was no other class of tradesmen so vigorous, so strong, or so robust. So much, therefore, for the health of the men daily employed in the slaughter-houses. If they did away with the private slaughter-houses, two or three things must follow. They would drive the butchers to the dead meat market. London would be supplied with a very inferior article. He could speak as to this for the feeders in Scotland, and from his own personal experience. They would never think of sending the superior animals they forwarded at present, as their size unfitted them for the dead market. They would be under the necessity of feeding smaller and inferior cattle. In warm weather there must be a famine of beef and mutton, and the offal would be lost to the poor, which was a very serious matter. In summer dead meat could not be sent from Aberdeen, and the inhabitants of London could not be supplied with the same quantity of meat as they were at present. On the great day, at the New Cattle Market, there were about 8,000 cattle, which, valued at £30 a-head, would amount to £240,000. 16,000 sheep, at £3 a-head, about £50,000; 500 calves, at £6 a-piece, £3,000; 100 pigs, about £5 a-piece, £500—total £293,500. The average sold at the New Cattle Market was about 4,000 bullocks, which, valued at £23, would amount to £92,000; 25,000 sheep, at about 50*s*., £62,000 to £70,000; 500 calves, at £6, £3,000; 100 pigs, at £5, £500—total £157,500.

Mr. CLARE READ believed that if they abolished every private slaughter-house in the metropolis there would be no more difference than now existed between the wholesale and retail price of meat, and if inspectors came to them in the country, and abolished pig-styes when near cottages, he thought the time had come when cow-houses and slaughter-houses should be done away with in the metropolis. Although it had been predicted otherwise, he was quite convinced that the removal of the cattle market from Smithfield to Islington had nothing to do with the present high price of meat. They had been told by the hon. Member who moved the second reading of this Bill that if they abolished the slaughter-houses in the metropolis it would be impossible to control and to regulate the supplies of meat from the country. He apprehended that there would be several large public slaughter-houses in London, one at Islington Market and others in convenient places. How was the fish market regulated? Was it not by telegraph? And of course it would be easier to get beasts from the country than to get fish from the sea, and yet London was always well supplied with fish. He was surprised at his hon. Friend the Member for Aberdeen supporting the measure, and he contended that there would be no difficulty, as had been stated, in conveying the offal from the public slaughter-houses to the districts where it was consumed by the poor. He believed it was desirable, both for the health of the community, humanity to the cattle, and the supply of good meat, that the trade in dead meat should be developed as much as possible, and as these private slaughter-houses tended to restrict it, he should offer it his opposition.

Mr. BRUCE said, the very tenderness which had been shown in the Act of 1844 in dealing with vested interests had been used as an argument against putting it into force. Divesting the subject, however, of all exaggeration, it was certain that the Act would not necessarily destroy all the private slaughter-houses; for while it left untouched such places as were 40 feet from the public road and 50 feet from any inhabited house, a discretion was left in the hands of the magistrates, who could remit the penalty where it was clearly shown that the existence of any particular slaughter-house was not injurious to the community. It was perfectly true that the Select Committee reported these houses as a rule as not unhealthy, but they also reported that their tendency was to attract trades such as tripe-boiling and tallow-chandling, which were injurious to health, and the Committee consequently recommended that private slaughter-houses should be got rid of and that they should be replaced by public establishments. This being so, the question was whether it would be wise, as the notice which had been given destroyed any claim for compensation on the part of vested interests, to throw away the chance of dealing with the question in the manner which would be most conducive to the public interest. The experience of Glasgow and other large towns where the system of public slaughter-houses had been adopted was to show that these establishments were carried on more economically than private slaughter-houses; that the animals were more cheaply killed, and that the result was to diminish, rather than to increase, the price of meat; and he did not see why the same might not be the case in the metropolis, because a great portion of the trade was carried on by men who never slaughtered at all and who would therefore be able to procure their supply just as well from a public as from a private slaughter-house. He was not prepared therefore under these circumstances to assent to the second reading of the Bill and to forego the advantages which they might fairly expect from the Act of 1844. Still, the subject of our meat supply was too important to be dealt with hastily, and if the hon. Member would withdraw his Bill and propose the appointment of a Select Committee, he would promise the support of the Government to that proposal.

Mr. W. M. TORRENS said, that if he understood the right hon. Gentleman to state that the Government, after the inquiry, would take the initiative in the matter, he should advise his hon. Friend the Member for Colchester (Dr. Brewer) to withdraw the Bill. This was not the first time he was impressed with the conviction that it was bad for Parliament to attempt to legislate through a telescope. It was most absurd to talk of the making of laws 20 or 30 years in advance. In his opinion, Parliament could never have intended these private slaughter-houses to be done away with without any public establishments having been provided in their stead; and therefore, as the Government had not taken any step towards making such a provision in this respect, the Bill had been introduced. He thought there could be no difficulty in the matter; and if the right hon. Gentleman would at once appoint the Committee, and would give them a pledge that before the end of the Session, or at all events before the penal law came into operation, he would introduce an official Bill on the subject, the measure now before the House need not be further proceeded with.

Mr. BRUCE said, that if the proposed inquiry should lead to the conclusion that public slaughter-houses ought to be erected, it would be necessary to give the local authorities power to erect them, and it would be the duty of the Government to introduce a measure to confer such powers.

Sir CHARLES ADDERLEY said, the only matter that could properly be referred to a Committee was the question how best to carry out the principle of the Act of 1844, which distinctly gave notice that private slaughter-houses should cease in the metropolis, and he considered that the inquiry should be strictly limited to that subject. The Committee should not attempt to reopen the great question of public *versus* private slaughter-houses; but an inquiry should be made into the means by which during the next 12 months, provision might be made for the establishment of public slaughter-houses, and he thought that such an inquiry must be undertaken by the Government itself. He believed that if a system of public slaughter-houses were substituted for private ones the former would derive enormous advantage from being taken out of the restrictions of the Act, so that this nuisance would remain more unchecked than before.

Mr. W. H. SMITH said, he hoped the hon. Member for Colchester (Dr. Brewer) would assent to the proposal for a Committee, and that the result of subsequent legislation would prove beneficial to the inhabitants of the metropolis, whose interests, he reminded the House, were far more important than those of the particular classes involved. He trusted that the inquiry would not be limited in any respect, because at present there was a difference of opinion as to whether private slaughter-houses could, or could not be continued under the Act, some people affirming that they could, and others that they could not. It was highly desirable that the investigation should be followed by speedy legislation, which should be based upon the experience of the past 30 years.

Dr. BREWER expressed his readiness to withdraw the Bill on the understanding that the Committee might inquire into the whole subject.

Mr. AUBERON HERBERT said, he trusted that whatever arrangement was ultimately arrived at, the slaughtering of cattle would be so carried on as to inflict the least possible pain on the animals to be killed. For this purpose, efficient inspection of slaughter-houses, public or private, should be provided. He thought that a strong argument in favour of *abattoirs* was that they afforded ample means of inspection on the part of the officers of the Society for the Prevention of Cruelty to Animals, which were not given by any other system.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

UNIVERSITY TESTS (DUBLIN) (No. 3) BILL.—RESOLUTION.

Mr. FAWCETT moved to resolve—

"That this House will immediately resolve itself into a Committee to consider the abolition of Tests in Trinity College and the University of Dublin."

Motion *agreed to.*

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Fawcett.*)

Mr. M'CARTHY DOWNING: I rise to Order, Sir. I beg to call your attention to the hour (it was now 14 minutes to Six of the clock.)

Mr. SPEAKER: The Question is that I do now leave the Chair.

Mr. M'CARTHY DOWNING: I now, Sir, beg to call your attention to the hour. This is an opposed Motion, and it is past a quarter to 6 o'clock.

Mr. SPEAKER: This being an opposed Motion there is no doubt that, according to the Orders of the House, the debate must stand adjourned till to-morrow.

And it being after a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

NEW ZEALAND ROADS, &c. LOAN ACT (1870) AMENDMENT BILL.

On Motion of Mr. Knatchbull-Hugessen, Bill to amend "The New Zealand Roads, &c. Loan Act, 1870," *ordered* to be brought in by Mr. Knatchbull-Hugessen and Mr. Baxter.

Bill *presented,* and read the first time. [Bill 116.]

VAGRANTS LAW AMENDMENT BILL.

On Motion of Mr. Pease, Bill to amend an Act passed in the fifth year of the reign of His Majesty George the Fourth, chapter eighty-three, intituled "An Act for the punishment of Idle and Disorderly Persons and Rogues and Vagabonds in that part of Great Britain called England," and to repeal "The Vagrant Act Amendment Act, 1868," *ordered* to be brought in by Mr. Pease and Mr. Wharton.

Bill *presented,* and read the first time. [Bill 120.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 3rd April, 1873.

MINUTES.]—Select Committee—Improvement of Land, *appointed.*

Public Bills—*First Reading*—Pollution of Rivers* (59); Marine Mutiny*; Sites for Places of Religious Worship* (61).

Second Reading—Mutiny*.

Second Reading—Committee negatived—Third Reading—Income Tax Assessment* (55), and *passed.*

Select Committee—Supreme Court of Judicature* (72), *nominated.*

Third Reading—Endowed Schools Address* (54); Salmon Fisheries Commissioners* (47), and *passed.*

IMPROVEMENT OF LAND.

MOTION FOR A SELECT COMMITTEE.

The Marquess of SALISBURY rose to move for the appointment of a Select Committee to inquire into the facilities afforded by the existing law for the investment of capital in the improvement of land, and to report whether any alteration of the law is requisite in order further to encourage such investment. He did not think that in making this Motion it would be necessary for him to attempt to justify it at any length; but he wished to place before their Lordships a few figures in justification of the statement he made last year in moving the second reading of his Bill (the Limited Owners Improvements Bill) when he pointed out the serious difficulties under which in the present state of the law the limited owner was placed when he desired to lay out his money in the improvement of his own land, and he at the same time suggested that the fact of only a comparatively small use having been made of the provisions of the Act of 1864 was due possibly to the conditions which the Act required and to the constant tutelage in which the landowner availing himself of it was kept by the Inclosure Commissioners, to whom the working of the Act was entrusted. Since last year Returns had been issued of the monies lent under that Act, and also under what were called the Companies' Acts—Acts which empowered Companies to override the ordinary law of settlement and entail in order to obtain security for money they might advance to the owners of estates for improvements. These Acts gave such greater facilities to landowners desirous of borrowing, that large amounts of money had been advanced under them; while the Act of 1864, which only enabled limited owners to invest their own money in the improvement of their estates, had operated to only a very limited extent. He found from the Returns to which he alluded that under the Companies' Acts the amount spent in farm buildings was £1,833,000; while for the same purpose the amount spent under the Act of 1864 was £71,000. Under the Companies' Acts the amount spent on labourers' cottages was £336,000, and the sum spent for the same object under the Act of 1864 was only £8,000. He could not believe that landowners spontaneously preferred paying interest to Companies —which must include profit on their capital and the cost of their staff—rather than employ their own money in the improvement of their own estates. He could not but think that there was something in the mode of working the Act of 1864 which accounted for the facts shown by the Returns, and that was the chief ground on which he introduced his Bill of last year. When it became evident that he could not hope to carry the Bill through Parliament that Session, he intimated his intention of re-introducing it this year, and to get it read the second time as early as possible, in order that it might be referred to a Select Committee, who would inquire into the whole subject. The terms of the reference he now proposed were large enough to enable the Committee—and he hoped they would undertake the task—to go into a somewhat wider inquiry. An idea was spread abroad that settlement and entail were arrangements adverse to the improvement of land. He believed the fact to be exactly the reverse. He believed that the greatest bane under which any agricultural system could exist was a state of heavy mortgages—especially when the money had been raised, not for the improvement of the land, but for extravagance. While the system of entail might, to some extent, and in an indirect manner—and only in an indirect manner—hinder the sale of land, it was an actual bar to extravagant mortgages. But as ideas to the contrary had been so industriously spread abroad, he thought that a Committee of their Lordships' House could do no better than inquire into the matter and elicit the opinions of those practically acquainted with it. This, however, was only a subsidiary object of the Committee. The main object was that which he ventured to bring under the notice of their Lordships last year—namely, to give to limited owners proper facilities for investing their own money in the improvement of their own land.

Moved, That a Select Committee be appointed to inquire into the facilities afforded by the existing law to limited owners of land for the investment of capital in the improvement of such land, and to report whether any alteration of the law is requisite in order further to encourage such investment.—(*The Marquess of Salisbury.*)

Lord REDESDALE said, that no one was more anxious than he that facilities should be given to landed proprietors to improve their own land. He must remind their Lordships that when landowners borrowed money under the Companies' Acts they put themselves under the control of those Acts. There could be no objection to allowing a limited owner to spend his own money in the improvement of his estate, and to charge that money on the estate if he did so under proper safeguards—and if they placed themselves under the same rules as were laid down by the Companies' Acts, they would have no greater difficulties. But the Bill introduced by the noble Marquess last year would have relieved the landowners of all responsibility as to the way in which the money was laid out. Now, anyone who borrowed money under the Companies' Act was obliged to declare the object for which he desired to borrow, to lay it out under inspection, and to make such yearly payments as would extinguish the whole debt in 25 years. There could be no objection to the Inquiry into this subject which the noble Marquess now proposed; but as to the second head of inquiry he did not think much good would arise from it, because, as the prejudices of their Lordships' House were supposed to be in favour of the existing law of settlement and entail, he did not think the Report of their Committee would have much weight out-of-doors. He did hope that there would be no inquiry by the Select Committee into the relations between landlord and tenant. He trusted nothing of that kind would ever be thought of. There was at present an excellent feeling between landlord and tenant in this country; and nothing should be done to bring the law in between them.

Earl GRANVILLE said, that though from the remarks of the noble Marquess it would appear that the scope of the Inquiry would be larger than was expressed by the Notice, he had no objection to offer to the Motion.

The Duke of CLEVELAND said, he was in favour of an Inquiry by a Committee. He would express no opinion on the subject of what his noble Friend (the Marquess of Salisbury) called the "subsidiary object" of the Inquiry; but as regarded the Inquiry respecting the state of the law in relation to the investment of capital in land, he thought it might prove useful. Certainly there could be no objection to allow limited owners to lay out their own monies in the improvement of their estates with greater facility if the risks to the estate from loss arising from such investments were not at the same time increased. He thought that the noble Marquess's observations in respect to the law of settlement and entail were very extraordinary and very wide of the main subject. No doubt opinions were freely entertained abroad on those subjects; but he did not see how they could be brought within the scope of the Inquiry of a Committee appointed to inquire into the investment of a man's own money in his own estate. If that proposition were omitted, there could be no reasonable objection to the Motion.

Lord NAPIER and ETTRICK said, that from the terms of the Notice he had apprehended that the Inquiry contemplated by the noble Marquess would be of a restricted character, that it would have reference only to the investment of his own money by a limited proprietor in the improvement of land. From the noble Marquess's speech he was, however happy to learn that the Inquiry would have a wider scope. The solicitude of the noble Marquess was aroused for the limited proprietors who had money to invest. There was another and a larger class who deserved the interest of the noble Marquess in a greater degree—the class of limited proprietors who had no money, but who were anxious to improve their land and to obtain money on fair terms for that purpose. It was unnecessary to enforce the great importance of increasing the productive powers of the soil. That object could be attained in two ways—by improving the cultivation of the land already under tillage, and by increasing the area of cultivation. In regard to the first, it had been affirmed by competent authority, ratified by the opinion of a noble Earl opposite, whose judgment was deserving of the greatest respect, that the produce of land now under cultivation might be doubled by the highest application of capital and skill. It was more difficult to say what result could be attained by the reclamation of lands now lying waste. We had no accurate knowledge of the amount of waste which could be brought under cultivation with profit, but no doubt the area was considerable. In the agricultural returns there were more than 24,000,000 of acres which were not brought under any head of crop or produce in England and Scotland. Of course that land was not all lying waste, nor was it all susceptible of profitable improvement. Much was mountain pasture of an excellent quality, very profitable in its present form. Much, on the other hand, was moor and bog, lying at a high elevation, which no amount of expenditure would render productive; but it was equally certain that a large extent existed which was not profitable in its present condition, and which might be rendered remunerative by a judicious outlay. A considerable area was indeed unprofitably appropriated to the purposes of sport. In Ireland 4,250,000 acres returned as absolutely waste—not used for the purposes of pasture in any shape. He contended that the proprietors of land under settlement were subjected to conditions which greatly limited their powers in prosecuting agricultural improvement so necessary to the welfare of the whole community. They could only borrow money from the Companies at rates, including interest and sinking fund, amounting to between 6 and 7 per cent. Proprietors of entailed estates ought, in his opinion, to have the power of borrowing at the market rate of 4 per cent for substantial improvements, and of making the outlay a permanent charge on the estate. It was true that the substantial improvement might not be an everlasting one. The improvement might in the course of years be absorbed or worn-out, but it would last two generations; it would last as long as the settlement under which it was effected, and that was all that the law need require, for though the proprietor of an entailed estate was bound to transmit the estate unimpaired in value to his immediate successors, he was not bound to transmit it with an increased value for ever. If the poorer order of limited proprietors were enabled to obtain the means of effecting improvements on terms such as he had indicated, he believed that an immense development in the productive power of the land would shortly be attained. While the poorer order of limited proprietors lay under grievous disabilities with reference to the amelioration of the land, their situation was still worse in regard to the improvement of the habitations of the labourers. To reclaim the land was difficult, but to rebuild the cottages was impossible. For the latter purpose money could only be got at 7 per cent. That rate was almost prohibitive, for cottage building was in many cases absolutely unremunerative; indeed, the new cottage was sometimes rather an additional charge than a source of profit to the estate. Nor could money be obtained for every class of cottages. The Commissioners would only sanction loans for cottages directly necessary to the farm on which they were situated, but it was obvious that it might be desirable to reconstruct many cottages generally necessary for the welfare and convenience of the property and the neighbourhood which were not strictly requisite for the farm in which they were placed. It must also be remarked that the Commissioners, even in cases in which sanction was granted, impeded the course of improvement by insisting on plans and specifications far beyond the local standard of comfort and convenience. The cottages erected in Scotland, under the sanction of the Commissioners, cost on an average £140 a-piece, when £80 or £90 would provide a habitation commensurate to the wants and resources of the agricultural labourer. While such were the discouragements and impediments to the reconstruction of rural habitations, the necesssity for this work was most pressing. In Scotland one-third of the agricultural population, according to the last Census, were lodged in tenements comprising only one room, while another third inhabited houses composed of two rooms. In Ireland there were more than 80,000 habitations of one room. In England statistical information was wanting, but the agricultural Reports disclosed a lamentable want of good accommodation for the rural classes. With a view to the performance of a sacred duty and the remedy of a deplorable evil, he claimed for the limited land owner the power of borrowing at the current market rate, for the reconstruction of agricultural labourers' dwellings and the power of making a permanent charge on the estate for that purpose. He could not allege that the improvement would always be a profitable one to the estate in a pecuniary sense, but it was essential to the honour of the proprietor and the welfare of the people. We had fallen on times when duties of a social and sanitary character could no longer be neglected with impunity. The country was strictly investigated by sanitary officers, by whom every neglect and abuse would be dragged to light, and by whom proprietors who did not conform to the requisitions of the age would be held up to public reprobation, though their failure might be far more owing to want of means than to want of good will. If the noble Marquess would include all these matters in his inquiry, if his object was to promote by every possible means, the investment of capital in the improvement of land and the reconstruction of dwellings, and to afford these facilities to the poor and burdened owner, as well as to the more favoured members of the same order, then, indeed, his Inquiry might issue in great and lasting benefits to the community, and it would have his (Lord Napier's) most unqualified and cordial support.

Earl GREY said, he could not agree with the noble Lord who had just sat down that there were grievous impediments in the way of the limited owner of an estate borrowing money for improvements. He must say he had never heard of money being borrowed for the purposes referred to at so high an interest as 7 per cent. He had known large sums borrowed on conditions involving annual payments of £6 12*s* or £6 14*s*. per cent for improvement of land; but those sums included not only the ordinary interest for the money but the sinking fund for the extinguishment of the debt in 25 years. The noble Lord, if he understood him correctly, wished to diminish the annual charge by relieving those who borrowed for improvements from the necessity of providing a sinking fund to pay off the debt. He trusted this would not be allowed. He hoped Parliament would never permit a limited owner to borrow money and charge it on the estate without obliging him to contribute a sinking fund. No proprietor should be permitted to burden with a permanent debt an estate in which he had only a life interest. It seemed to him that nothing could be more injudicious than to do anything calculated to burden the land with permanent charges. There was no greater evil to a country than that a large portion of its land should be held subject to mortgages. Neither could he concur with the noble Lord that a limited owner should be permitted to borrow what sums he liked in open market, and subject to no conditions such as those imposed on those who borrowed under the Public Companies' Acts. To prevent gross abuses it was absolutely necessary to provide some means of ensuring that money professedly borrowed for improvements should really be so applied. And he denied that there was any evidence that the existing system failed in affording great facilities for improvement. He thought, on the contrary, that everyone who had carefully watched what was going on in the country would concur with him that since the repeal of the Corn Laws the march of agricultural improvement had been more rapid than could have been anticipated. The change in the character of the farm buildings and cottages and the improved skill in the cultivation of the soil were, to his mind, very remarkable considering how little the science of agriculture was understood until within a comparatively recent time, and how much ignorance was still to be found both among owners and occupiers of land. The noble Lord said that it was specially necessary to make some change with reference to the improvement of cottages. No man felt more strongly than he (Earl Grey) did the urgent necessity that there was for improving the dwellings of the poor, not only in the country, but still more in the towns—because if there was a grievance in this respect in the country, he was persuaded that that grievance was infinitely greater in the towns. In the country they did not find four or five families crammed into a single room, as they found in the great cities. The improvement that had taken place within the last few years in the habits of the population in the country, and in their houses generally, was something that was very remarkable indeed. Such an improvement, however, could only proceed by degrees, and in the agricultural districts the progress was considerable—but a great and general change could not be effected in a day. But when the noble Lord said that the great want of better cottages would justify Parliament in enabling the owners of land to put a permanent charge upon it for improvements which he admitted would not be remunerative—so that the work would be done partly at the charge of their successors—it appeared to him (Earl Grey) that this would be simply to enable the present generation to be generous and charitable, not at their own expense, but at the expense of others. He thought this could not in justice be allowed, though he admitted there was a great difficulty about building cottages, because the rents working men could give would not in general pay a fair interest on their cost. But proprietors in some parts of the country at least found that it was absolutely necessary in their own interests to have good cottages, quite irrespective of their being directly remunerative. In Northumberland—and he believed it was pretty much the same in Scotland—the custom was to have a certain number of cottages attached to every farm, and it answered to spend money in improving these cottages, because from experience it was found that they could not get good farm servants without having good cottages for them. This accounted for the marvellous improvements that had taken place in agricultural dwellings in the county of Northumberland within his recollection. He remembered the time when almost universally each cottage in that part of the country had only a single room, and in some few cases he had even seen a part of this one room cut off with wickerwork for the cow. The old Northumbrian cottages were kept very clean, all things considered; but still they were very wretched habitations. They had, however, been fast disappearing, and very few were to be found now. Even the small minority of the owners of land who were not willing to make improvements in the cottages on their estates were driven into doing so by the fact that good farm servants could not be got without good cottages being provided for them. But it was not because there ought to be better cottages that they should depart from all sound principles, and enable landlords to charge their estates in perpetuity for the purpose of effecting these improvements. Almost the only point upon which he concurred with the noble Lord who had just spoken was that he thought that there was reason to doubt whether the Commissioners had not been somewhat too strict in their requirements as to the accommodation to be provided in cottages built under their authority; because practically the question was this—whether you would be content with cottages falling somewhat short of what you would wish to have, or go on with the miserable ones you found standing—because if you insisted on too costly a cottage as a condition for charging the expense on the land, none at all would be built. It was a mistake also to attempt too violent a change in the habits of the people. He was therefore of opinion that till lately the Commissioners had been too severe in reference to the cottages which they had required to be built. But within the last two or three years this mistake had been to a great degree corrected. The inquiry into the condition of the agricultural population in Northumberland had been very ably conducted by Mr. Henley, the Assistant Commissioner, and in consequence of his Report there had of late been a very considerable relaxation in the requirements of the Commissioners with respect to cottages. As to the figures which the noble Lord (Lord Napier) quoted in reference to the large amount of land that was capable of cultivation, but which was left useless or only partially cultivated, he confessed that he always listened to these statistics with the very greatest possible suspicion. When you demanded details you had great difficulty in finding where this improveable land was. According to his experience, wherever it was practicable to improve land, there was now a very great desire to improve it. Then they must remember that a great outcry had been raised of late as to the enclosing and dividing of commons; but unless they did this, then in reference to common land in many cases the improvement of land was practically impossible. Further, he did not see how they could interfere in reference to the land which was kept for the purposes of sport, unless they were prepared to interfere also with the merchants and other persons of wealth who took agricultural land, and turned it into pleasure grounds and gardens. All these things were consequent upon the increase of wealth, and could hardly be interfered with—especially as we now opened our ports to the introduction of food from all parts of the world. As to the Motion of the noble Marquess (the Marquess of Salisbury), it seemed that one of his main motives for bringing forward this Motion was that he believed that persons having money of their own had not the same facilities for investing it in the improvement of their estates as those enjoyed by owners who not having money of their own to invest, borrowed money for that object. If this were really the case such a state of things ought to be altered; but he could not help thinking that the small sum spent by the former class of owners in improving land under the Act of 1864, as compared with that spent by the latter in the same kind of improvement carried on under the Companies' Acts, arose from another cause than that to which the noble Marquess attributed it. He believed the real reason was that the number of owners who had money of their own to lay out was small as compared with the nnmber of those who had not. But, be that as it might, the subject was one which might usefully engage the attention of a Select Committee.

The Earl of LAUDERDALE said, that as far as his experience went he had found no difficulty whatever in borrowing money for the improvement of an entailed estate, or in spending his own money for the same purpose, when he had any to spare. All you had to do was to go to the Improvement Commissioners if you had money of your own, and when they had made inquiry the thing was settled. On the other hand, if you wanted to borrow money, you got it through a Land Improvement Company, though the land could not be burdened for more than 25 years.

Lord CAIRNS feared that if the order of reference were made in its present form the Committee might think that the scope of its Inquiry was much wider than his noble Friend really intended it to be. He would suggest that his noble Friend's object would be answered if the Committee were appointed "to inquire into the facilities afforded by the existing law to limited owners of land for the investment of capital in the improvement of such land."

The Marquess of SALISBURY said, he would accept the alteration suggested. The debate had shown that, under the reference as it stood, some questions might possibly arise as to the relations between landlord and tenant, and there were various reasons why this House should undertake no such inquiry. He was not going to reply to the speech of the noble Lord opposite (Lord Napier), which had, indeed, been admirably answered already by the noble Earl on the cross-benches. He would, however, just mention one instance as to the value of the statistics which had been published by the Government, which made him doubt if their figures were entirely trustworthy. If they looked to the Returns that came from Belgium they would find that the extent of cultivated land stated to be in Belgium was greater than the whole extent of land that there was in Belgium; and he did not think that this was likely to be the case.

Motion amended, and *agreed to.*

Resolved, That a Select Committee be appointed to inquire into the facilities afforded by the existing law to limited owners of land for the investment of capital in the improvement of such land, and to report whether any alteration of the law is requisite in order further to encourage such investment.—(*The Marquess of Salisbury.*)

And, on Friday, April 4, the Lords following were named of the Committee:—

D. Richmond.
D. Bedford.
D. Cleveland.
M. Salisbury.
M. Bath.
E. Derby.
E. Airlie.
E. Grey.
E. Kimberley.
L. Dinevor.
L. Vernon.
L. Meldrum.
L. Colchester.
L. Stanley of Alderley.
L. Egerton.
L. Houghton.
L. Kesteven.
L. Ettrick.
L. Hanmer.

RAILWAYS AND TELEGRAPHS IN PERSIA.—QUESTION.

Lord STRATHNAIRN asked Her Majesty's Government, Whether they have received any information that the Shah or Government of Persia has given a contract to Baron de Reuter for the construction of all railroads, lines of electric telegraph, and canals in Persia; and, whether Her Majesty's Government have received any information that the Government of Russia intend or entertain the project of making a railroad from some part of Russia to Kurrachee, or in the direction of the frontier of India, or of any part of the Persian Gulf? As regarded the first Question, he had received information which made it perfectly clear that the contract in question had been given by the Shah of Persia to Baron de Reuter. Now, railways and telegraphs were important means both of commercial and military operations; and he trusted the Government would be able to assure their Lordships that the Persian railway system, and the line, if any, projected from Russia toward the Indian frontier or some part of the Persian Gulf, would be carried out really for the interests of Persia, and in the interests also of peace and in accordance with the policy of this country.

Earl GRANVILLE said, that early last autumn he was informed by Baron de Reuter, first privately and then officially, that a concession had been made to him of the railway in question. With regard to the second part of the Question, he had made inquiry on the subject, but had received no official communication, and no private information of any value, that there was such a scheme.

POLLUTION OF RIVERS BILL [H.L.]

A Bill to amend the Law relating to the Pollution of Rivers—Was *presented* by The Earl of Shaftesbury; read 1ª. (No. 59.)

House adjourned at half past Six o'clock, till To-morrow, Four o'clock.

HOUSE OF COMMONS,

Thursday, 3rd April, 1873.

MINUTES.] — Select Committee — Kitchen and Refreshment Rooms (House of Commons), Mr. Onslow *discharged,* Mr. Stacpoole *added.*

Supply—*considered in Committee*—Navy Estimates—Committee—r.p.

Public Bills—*Resolution in Committee—Ordered—First Reading*—University Tests (Dublin) (No. 3) [124].

Ordered—First Reading—Gas and Water Provisional Orders* [126].

First Reading—Shop Hours Regulation * [123]; Fairs Act (1868) Amendment * [125].

Second Reading—Elementary Education Provisional Order Confirmation (No. 3) * [115]; Australasian Colonies (Customs Duties) * [106].

Committee—East India (Loan) * [103], *debate adjourned;* Matrimonial Causes Acts Amendment * [101], *deferred;* Portpatrick Harbour (*re-comm.*) * [61], *deferred;* Gretton Chapel Marriages Legalization * [111], *deferred.*

Committee—Report—Railway and Canal Traffic [34-121]; Elementary Education Provisional Order Confirmation (No. 1) * [95]; Elementary Education Provisional Order Confirmation (No. 2) * [96]; East India Stock Dividend Redemption * [102]; Local Taxation (Accounts) * [16-122].

Third Reading—Marine Mutiny *, and *passed.*

NAVY—CONTRACT PRICES.—QUESTION.

SIR JAMES ELPHINSTONE asked the Secretary to the Admiralty, If he will grant a Return showing what is the contract or cost price of the following articles for the current year, viz., Beef, Pork, Bread, Rum, Tea, Sugar, Flour, and Suet?

MR. SHAW LEFEVRE, in reply, said, that he could not give the information for the financial year which had just commenced, but he had no objection to do so for the year which had passed.

NAVY—GREENWICH PENSIONERS. QUESTION.

MR. STONE asked the First Lord of the Admiralty, Whether it is the case that those Greenwich Pensioners who were inmates of the Hospital prior to 1865 received, on leaving the Hospital, pensions much larger than, and in some cases as much as double, those which they enjoyed before they entered, while the Pensioners who never entered the hospital received no corresponding advantage; whether the former class of Pensioners had any superior claims, either on the ground of merit or length of service; and, whether, in order to diminish the present inequality between the two classes, he can grant to those who have never been in the hospital either an increase of pension, or a reduction of the standard of age at which an increased pension is now enjoyed?

MR. GOSCHEN, in reply, said, that those Greenwich pensioners who were in the Hospital prior to 1865 received, on leaving, some compensation in addition to the pension which they were previously in the receipt of. The Act of 1865 gave them the money allowance they received in the hospital and made other arrangements in their favour, and also in favour of the out-pensioners. In 1869 further advantages were given both to the out-pensioners and to those who had been in the Hospital. It was, therefore, not correct to say that no advantages were given to the out-pensioners. The pensioners who had been in the Hospital had certainly been selected on grounds of merit or length of service, and there was no intention of making any alteration in favour of the out-pensioners.

COMPULSORY EDUCATION—PRISONS ACT, 1865.—QUESTION.

COLONEL EGERTON LEIGH asked the Secretary of State for the Home Department, Whether there is anything to prevent education being made compulsory in prisons; and, should there be no obstacle, whether he will take measures as soon as possible to make education compulsory in all prisons throughout the United Kingdom?

MR. BRUCE in reply, said, that under the Prisons Act of 1865 the Visiting Justices were required to make provision in every prison for the instruction of illiterate prisoners in reading, writing, and arithmetic, and that part of the Act had been fairly well complied with. All prisoners who could not read and write were instructed in reading and writing, and those who could, in most cases, received other instruction. He had communicated with the Inspectors of Prisons, and although there were cases in which which larger provision for instruction might with advantage be made by the Visiting Justices, still he was satisfied it was unnecessary to make any change in the existing law.

BURIALS.—QUESTION.

MR. CHARLEY asked the Secretary of State for the Home Department, Whether his attention has been called to the evidence given at an inquest held on the 24th ultimo at Bethnal Green, to the effect that the dead bodies of five persons (a woman and four children) were placed for burial in a single coffin by William Burridge, an undertaker carrying on business in Bethnal Green, Walworth, and other places, contractor for burials from Millbank Prison, and Hackney and Bethnal Green Workhouses, and to the admission of the said William Burridge that, though paid for burying dead bodies separately, he sometimes "buried three or four together;" and, whether the Right honourable Gentleman is prepared, considering the facilities afforded by this system for concealing child murder, to take any steps to suppress it?

Mr. BRUCE, in reply, said, that some time ago he directed the Inspector of Burials to attend the inquest now proceeding, and that gentleman had done so, the inquiry having been adjourned from time to time. He had also ordered that a full Report should be presented, not only on this particular case, but on the general subject. The Inspector had not yet made his Report, and he wished to postpone giving a full answer until he should have received it. In the meantime he was informed that the Bill of his right hon. Friend (Mr. Stansfeld) would to a considerable extent provide for such cases.

FRANCE—THE COMMERCIAL TREATY, 1860.—QUESTION.

Mr. RAIKES (for Mr. R. N. Fowler) asked the Under Secretary of State for Foreign Affairs, Whether, when the Government agreed to continue the Cobden Treaty, any efforts were made to induce the French Government to suspend the "surtaxe" on the British flag, and the "droits d'entrepôt" levied on goods and produce transhipped from England to France; and, why the conventional tariffs were allowed to remain in force while a prohibitory tax on British ships was to be enforced, and the "droits d'entrepôt" were to be levied on goods not landed in England, but sent "in transitu" to France, as was permitted under the Cobden Treaty?

Viscount ENFIELD: As soon, Sir, as Her Majesty's Government found that the state of business in the French Assembly would not allow of the Treaty of Commerce being discussed as speedily as was anticipated, they instructed Her Majesty's Ambassador at Paris to represent to the French Government the injury to British shipping and commerce sustained by the continuance of the *surtaxe de pavillon*, from which the Treaty signed on the 5th of November last would have exempted British vessels had it come into operation as soon as had been contemplated. Her Majesty's Government have again recently called the attention of the French Government to this subject. The *surtaxe d'entrepôt* is not a differential duty, being levied on French and foreign vessels alike, the only articles exempted from it under the Treaty of 1860 are jute, cotton, and wool. The regulations under which this surtax was imposed, and still continues to be levied, are contained in the Commercial Papers laid before Parliament last year (No. 1, page 153). I must remind the hon. Gentleman that the continuance of the Conventional Tariff was not a concession on the part of this country, for the tariff under the Treaty of 1860 expired on the 15th of March; and had that tariff not been continued, the commercial relations between the two countries, pending the ratification of the new Treaty, would have been thrown into much confusion.

ARMY—YEOMANRY ADJUTANTS.
QUESTION.

Captain HOOD asked the Secretary of State for War, Whether, having regard to the increased duties and restrictions regarding leave of Adjutants of Yeomanry, entirely changing the conditions under which they accepted their appointments, he will consider of granting them such fair and moderate pension as may induce them to retire and make way for officers who may be disposed to accept the appointment under its present altered conditions of service, which impose on Adjutants of Yeomanry the same regulations that affect Adjutants of the other Auxiliary Forces, without according to them the same rate of pay and allowances?

Mr. CARDWELL in reply, said, that the officers appointed to the command of Cavalry districts would Report upon the pay and duties of Adjutants of Yeomanry, and when the reports were received it would be considered whether any changes were expedient.

THE TREASURY AND THE POST-OFFICE—ALLEGED MISAPPROPRIATION OF FUNDS.—QUESTION.

Mr. NORWOOD asked Mr. Chancellor of the Exchequer, Whether the Treasury have appointed a Committee to inquire into the proceedings of the Treasury and the Post Office, as suggested by the Committee of Public Accounts; and, if so, whether he will give the names and the position of the gentlemen who are to serve on the Committee?

The CHANCELLOR of the EXCHEQUER: The Treasury, Sir, have not appointed a Committee in the meaning of a body of independent judicial authority. What they have done is this. In compliance with the wishes of the Committee of Public Accounts they have commenced an inquiry into the circumstances in question. That inquiry is conducted by the agency of gentlemen in the Treasury Department, and when the facts are all collected it will be for my right hon. Friend the First Lord of the Treasury and myself, who are responsible to Parliament, to take such steps as our sense of duty may dictate. To mention the names of the persons employed in the inquiry would be quite contrary to official rule, and would be to expose them to responsibilties to which they ought not to be subjected. We, the heads of the Department, are responsible for what shall be done.

SHERIFFS SUBSTITUTE (SCOTLAND). QUESTION.

Sir DAVID WEDDERBURN asked Mr. Chancellor of the Exchequer, Whether the attention of Her Majesty's Government has been directed to the unanimous opinion of the Law Courts (Scotland) Commission, in their Report of the 12th July 1870, that the remuneration of the Sheriffs Substitute of Scotland is inadequate to their position; and, whether the Government are prepared, without further delay, to give effect to the Recommendation of the Commission that these salaries should be increased?

The CHANCELLOR of the EXCHEQUER, in reply, said, that the Government had had their attention directed to the Law Courts Commissioners Report, to which the hon. Baronet alluded. The Commissioners recommended that in some instances the salaries should be increased, and in others should be diminished. The Government had increased some of the salaries, although not exactly in the proportion recommended by the Commission, and they had made no reductions in any instances. They were unable to undertake that they should treat the matter in any other manner than they had already done, and that was not as a whole, but by inquiry into each particular case.

NAVY—GOOD-SERVICE PENSIONS. QUESTION.

Admiral ERSKINE asked the First Lord of the Admiralty, If it is to be understood that Officers of all ranks who have been or who shall be awarded good service pensions subsequently to the Regulations of 1872 are to be entitled to receive such pensions while on full pay, as was the case previous to 1870; and, if so, whether he will take into consideration the cases of those to whom good service pensions were awarded between 1870 and 1872, so as to place them on an equal footing with their more fortunate brother-officers?

Mr. GOSCHEN, in reply, said, his hon. and gallant Friend did not understand him correctly if he understood that the Regulations applied to officers of all ranks. The Order in Council of 1872 applied to captains only. He would ask his hon. and gallant Friend to distinguish between the case of flag officers and captains. As regarded flag officers they were precisely in the position they were left in by the Order in Council of 1871. The number of their good service pensions had not been reduced, nor had the tenure of them been altered. He should add that the Treasury were not at all interested in the suspension of the good service pensions in the case of flag officers when on full pay. In the case of captains the tenure was changed, and they were allowed by the Order in Council of 1872 to hold their pensions on full pay; but that rule was not intended to come into force until there had been a certain reduction in numbers. However, he was prepared to make a considerable change, and to allow the benefit to come into operation from the 1st April this year.

PUBLIC HEALTH ACT, 1872—POOR LAW INSPECTORS.—QUESTION.

Dr. LUSH asked the President of the Local Government Board, Whether identical instructions were given to the Poor Law Inspectors appointed by him to interpret the provisions of "The Public Health Act, 1872," to the various urban and sanitary authorities, and if he can state to the House whether the advice given by the Poor Law Inspectors was alike in all cases when the scheme of conjoint appointment of Medical Officers of Health was under discussion; and, whether in cases where Medical Officers of Health have been appointed over large areas, it is the intention of the Local Government Board to utilise the local knowledge of Poor Law Medical Officers for sanitary purposes, by reports (or otherwise) to the Medical Officer of Health; and, if so, in what way they are to be remunerated for the extra services thus rendered?

MR. STANSFELD, in reply, said, that in every case identical instructions were given to the Poor Law Inspectors who conferred with and advised the Local Authorities with reference to provisions of the Public Health Act, 1872, when the scheme of conjoint appointment of Medical Officers of Health was under discussion. The advice given, of course, was not in all cases identical, because it had to be given, on the one hand, with reference to the general question, and on the other, to the special circumstances of each locality. With reference to the second Question of the hon. Gentleman, in the case of the appointment of Medical Officers of Health over large areas, sooner or later it would be necessary that localities and authorities, should also avail themselves of the special knowledge of the Poor Law Medical Officers. In what way they would be remunerated for that special knowledge he was not prepared to say, but undoubtedly they would be entitled to some special remuneration.

THE DOG LICENCE.—QUESTION.

MR. RIDLEY asked Mr. Chancellor of the Exchequer, If his attention has been called to a Petition presented from a large number of Owners and Occupiers of Land in Northumberland, praying for alterations in the existing Law respecting the keeping of Dogs, and, in particular, pointing to the desirability of substituting discriminating Duties or Licences for the present uniform one; and, whether he will consider the propriety of carrying into effect any of the suggestions there made?

THE CHANCELLOR OF THE EXCHEQUER: I do not, Sir, think it desirable that I should answer any Questions relative to alterations in the Revenue Laws before the time which has been fixed for bringing forward the Financial statement of the year.

BOARD OF WORKS (IRELAND).

QUESTION.

MR. M'CARTHY DOWNING asked the Secretary to the Treasury, Whether a Committee, composed of the Marquess of Lansdowne, Mr. Herbert Murray, and Captain Crossman, did not, early in the year 1871, inquire into the organisation and working of the Board of Works in Ireland, with a view to its improvement; whether the Committee did not report to the Treasury; whether that Report was not sent to the Board of Works for their observations and suggestions; whether that Board returned the said Report to the Treasury; and, if so, why has it not been laid upon the Table of the House; if not, why; and, under all the circumstances, is it the intention of the Treasury to present the Report; and, if so, when?

MR. BAXTER: Sir, the Marquess of Lansdowne and the other two gentlemen named by the hon. Member inquired into the Board of Works in 1871, and reported to the Treasury in February, 1872. The Report covered a very wide field. It was referred to the Board of Works on its receipt for the observations of the Commissioners, and these were received in May last. There were differences of opinion between the Committee of Inquiry and the Chairman of the Board upon many points, which required subsequent conferences and communications to explain. The Treasury has now come to a decision upon the subject, which is on the eve of being communicated to the Board of Works; but there never was any intention, nor would it be usual to present to Parliament the Report of a Departmental Committee of Inquiry upon a matter strictly within the province of the Treasury's ordinary administration. There will, however, be no objection to present a Copy of their Minute before the Vote for this establishment is taken.

CIVIL SERVICE (IRELAND)—REPORTS OF THE COMMISSIONERS.

QUESTION.

MR. M'CARTHY DOWNING asked the Chief Secretary for Ireland, Whether he will lay upon the Table of the House, at an early day after the Easter Recess, Copies of the three Reports made to the Government by the Commissioners appointed last year to inquire into the cases of the Dublin Metropolitan Police, the Royal Irish Constabulary, and certain other branches of the Civil Service in Ireland?

THE MARQUESS OF HARTINGTON: The Reports, Sir, of the Commission to which the hon. Gentleman refers were made to the Treasury and not to the Irish Government. My right hon. Friend the Chancellor of the Exchequer has already answered several Questions repecting them, and I do not know that I have anything to add to what my right hon. Friend has stated; but I would point out to my hon. Friend that these Reports deal with questions of great importance and very considerable difficulty, which not only affect the interests reported on, but also raise questions as to the sources from which additional expenditure may be drawn. It will, I think, be desirable that time should be allowed for their consideration by the Government before these Reports are laid upon the Table.

SUGAR DUTIES—INTERNATIONAL CONFERENCE, 1864.—QUESTION.

MR. GRIEVE asked Mr. Chancellor of the Exchequer, with reference to his reply—

> "That Her Majesty's Government had received no communication from the French Government on the subject of the application of chemical analysis to the assessment of the Sugar Duty,"

Whether, the respresentatives of the Conference having

> "undertaken to invite their respective Governments to study the question under this aspect, through competent men, and to communicate between then and the 1st January 1873 the results of these studies,"

and the Governments of Holland, Belgium, and Great Britain having complied with this invitation, Her Majesty's Government will inquire of the French Government whether it has accepted or declined the invitation; and, whether Her Majesty's Government is aware that, while this question is still pending between the four Powers who are parties to the Convention of 1864, the French Government is proposing to pass a Law containing a provision for the application of chemical analysis to the assessment of the Sugar Duty?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the French Government have undertaken the inquiry alluded to in the first Question, and it is very near completion. As to the second Question, a Bill has been introduced into the French Assembly for the purpose mentioned; it is a Bill to which we see no sort of objection.

CRIMINAL LAW—CASE OF ANN MURRAY.—QUESTION.

MR. W. LOWTHER asked the Secretary of State for the Home Department, Whether the statement, as given in "the Times" of 2nd April is correct, that the Police Magistrate at Marlborough Street, "on hearing the answer of Ann Murray (accused of stealing the Earl of Granville's towels) decided him to discharge the prisoner, although he was satisfied she was a thief?"

MR. BRUCE: I am glad to find that the hon. Gentleman opposite takes an interest in the property of my noble Colleague. I believe, Sir, the facts of the case are these:—The woman was charged with stealing a napkin, which was the property of my noble Friend, Earl Granville. By the kindness of the noble Lord, she had been allowed to take broken meat from his house, and in doing so she tied it in a napkin, which she afterwards attempted to pawn. The magistrate thought the larcenous intention was not legally made out. At the same time he was of opinion that she was not free from blame, and might possibly have been considered on a different charge.

FRANCE—THE COMMERCIAL TREATY, 1860.—QUESTION.

MR. EATON asked the First Lord of the Treasury, Whether, as the Commercial Treaty with France expired on the 15th March, and as the New Treaty has not yet received the sanction of the French Assembly, it is the intention of Her Majesty's Government to resort to the Commercial Relations existing between this Country and France prior to 1860; and, if not, what course they will adopt pending the acceptance of the New Treaty or in the event of its non-acceptance by the French Assembly?

Mr. GLADSTONE: Sir, the Question of the hon. Member embraces two branches—the first having reference to the measures we propose to adopt in consequence of the New Treaty not having been accepted by the French Assembly, and the next as to the course to be taken by us in the event of the rejection of that Treaty. As to the first, it does not appear to us to call for any measures at all. There is no doubt that for the present the matter is suspended; but the effect of that suspension is beneficial to us, inasmuch as it insures to us the continuance of the rates of duty accorded to us by the Treaty of 1860; and, of course, as the hon. Member is aware, no change could be made on this side of the water except by legislation, which we certainly do not contemplate proposing for that purpose. With regard to the course to be taken in case of the final rejection of the Treaty, that must depend on the circumstances of the case. In the meantime, we are not very willing to anticipate that such will be the result of the deliberations of the Assembly.

IRELAND—DUBLIN UNIVERSITY—THE 10 GEO. IV. CHAP. 7.—QUESTION.

Mr. P. J. SMYTH asked Mr. Attorney General, If section sixteen of tenth George the Fourth, chapter seven, has been repealed; and, if not, to what extent, if any, an Act abolishing Tests in Dublin University and Trinity College may be affected by it?

The ATTORNEY GENERAL, in reply, said, the section of the Act referred to by the hon. Member had not been repealed, and the Bill abolishing Tests in the University of Dublin would not in any manner affect it. That section merely limited the effect of the Emancipation Act, and no Act passed outside the Emancipation Act was affected by it.

RUSSIA—THE CRIMEAN CEMETERIES. QUESTION.

Mr. HEYGATE asked the First Lord of the Treasury, Whether Her Majesty's Government propose to carry out the recommendations contained in the Report of General Adye and Colonel Gordon with reference to the Crimean Cemeteries, and, in particular, whether they propose to erect on Cathcart's Hill "a large obelisk, or general memorial" to the memory of the Officers and Men of the British Army who fell in the Crimean war?

Mr. GLADSTONE: Sir, on this subject I have made inquiry at the Treasury, and the Correspondence between the Treasury and the War Office is still proceeding. When that Correspondence is concluded of course there will be no objection to its production. The Treasury have consented to pay for covering the less important of the cemeteries in the Crimea with mounds of earth, for moving the monuments of the Redan into the nearest large cemetery, and for repairing the inscriptions. The Treasury, however, felt they would not be justified in sanctioning any outlay for re-building the walls of the larger cemeteries, for erecting a general memorial, or for the maintenance of a garden,—not from any want of sympathy or unwillingness to provide the amount which might be required, but because it would fail to accomplish the objects in view in any satisfactory and lasting manner.

JURY LIST ALLOWANCES—MAGISTRATES' CLERKS.—QUESTION.

Colonel BRISE asked the President of the Local Government Board, If his attention has been called to the disallowances for fees to magistrates' clerks upon the allowance of Jury Lists, by the Poor Law Auditors; and whether, as these fees can be legally claimed by the Act 25 and 26 Vic. c. 27, he considers it desirable that there should be any further legislative enactment for a satisfactory solution of the difficulty?

Mr. STANSFELD, in reply, said, he was advised that the disallowances were correctly made, and he had requested the Attorney General, therefore, to deal with the case by a clause to be inserted in the Juries Bill now before the House.

PARLIAMENT—BREACH OF PRIVILEGE —"THE PALL MALL GAZETTE."

Mr. MUNSTER: I rise, Sir, to draw your attention and that of the House to an article which appeared in *The Pall Mall Gazette* of Monday, the 31st of March.

Then the hon. Member having delivered in the said paper, and the paragraph referred to, read as follows:—

"The scene of Friday night shows how lamentably Mr. Gladstone's sense of public propriety has been perverted by his fretful irritation at a rebuke the more painful because it was felt to be merited. It was not surprising that the Irish Ultramontane Members should resort to every quibble discoverable in the technicalities of the law of Parliament to defeat or delay a measure like Mr. Fawcett's, which cuts the ground from under their venal agitations and their traffic in noisy disloyalty."

Mr. MUNSTER: I rise with considerable diffidence to speak upon any matter touching the liberty of the Press, because I wish to give writers, who have done so much for the cause of liberty in this country, the greatest possible freedom. I feel it my duty, as a Member for an Irish constituency, to illustrate the difference between the law as applied in Ireland and as applied in England, more especially at a time when a severe sentence has just been passed upon the editor of an Irish newspaper at Belfast. The paragraph in *The Pall Mall Gazette* contains very serious charges against Members of this House—in the first place, that of venality; and, in the second, that of disloyalty—a charge which, apart from its own heinous character, involves in a Member of this House the additional guilt of breach of oath. I am, however, fortified in the course I am taking by a series of precedents which I have found in the records of the former proceedings of this House. I find that reflections upon the character of the Members of this House, or upon a single Member, have always been considered a Breach of Privilege, when these reflections were such as to be of a libellous character, as I conceive the expressions I complain of are. The course adopted on former occasions has been that a Motion should be made "that the article in question contains a Breach of Privileges of this House," and I am prepared to conclude with a Motion to that effect. If that Motion should be acceded to, I am prepared further to move that the printer and publisher of the paper should be ordered to attend at the Bar of this House to-morrow. On the 5th of August last year a similar case occurred. A letter was written to a Member of this House of which complaint was made, and the hon. Member for Barnstaple (Mr. T. Cave) brought the matter before the House. The debate was adjourned, and on the second day, on an apology being made for the letter complained of, the matter was allowed to drop. I refer to this case because I wish to fortify my opinion by the *dictum* of the right hon. Member for Kilmarnock (Mr. Bouverie), whose authority stands very high in questions relating to the Privileges and proceedings of this House. In the opinion of the right hon. Gentleman the letter then complained of unquestionably contained expressions that were libellous, but the libel did not directly refer to Members of this House. The charge made was one of the two charges made in this case, that of venality and corrupt motives. The opinion expressed was that, had the charge referred to Members of this House, it would have been a Breach of Privilege; but, as it did not distinctly refer to Members of this House, there was no breach committed, and therefore the right hon. Member said he should vote against the Motion. In this case the charges distinctly referred to Members of the House, in their capacity as Members, in connection with their action in the House, and their "resort to every quibble discoverable in the technicalities of the law of Parliament to defeat or delay a measure like Mr. Fawcett's, which cuts the ground from under their venal agitations and their traffic in noisy disloyalty." The hon. Gentleman concluded by moving his Resolution—

Motion made, and Question proposed,

"That the said article contains libellous reflections upon certain Members of this House in breach of the Privileges of this House."—(*Mr. Munster.*)

Mr. DISRAELI: I know nothing more of the words complained of than I could catch as they were read from the Table, and, not having them before me, I speak with diffidence about them; but, as far as I could collect the meaning of the language, a charge was made against certain persons who were described as "Ultramontane Members" of this House. There was no specific allusion to any particular individual, and I do not know who the "Ultramontane Members" are. In order to justify an attack upon the liberty of the Press, and to warrant the occupation of the valuable time of this House by going into a Question of Privilege, there is certain previous information we ought to be in possession of. Therefore, I hope, before the Question is put, some Gentleman who is authorized, will tell us whether there are any Ultramontane Members in this House, and, if there be, who they may be. Having that information, we can proceed to discuss the language which is complained of, and I shall then give it my candid consideration.

MR. MITCHELL HENRY: I did not intend to take any part in this debate; but I think I should be wanting in duty to my constituents, and in loyalty to my hon. Friend who has felt it his duty to make this Motion, if I did not point out to the House that, whoever may be described as an Ultramontane Member — which is not uncommonly used as a term of opprobrium—at any rate, there can be no doubt as to whom this article is intended to designate. [*Cries of* Whom?] It designates those who took a particular course on a particular occasion in reference to the introduction of the Bill of the hon. Member for Brighton (Mr. Fawcett). It describes those hon. Members of the House as Ultramontane Members, and it speaks of them as "trafficking in noisy disloyalty," besides alluding to their "venal agitation." There are other portions of this article which have not been read, but which are equally offensive, but probably are not equally open to a charge of Breach of the Privileges of this House. But whilst I am quite aware that the Irish Members present a fair target for the comments of public writers and public speakers — whether in the House of Commons or out of it—yet I think the House of Commons will itself so far interpose as to protect any portion of its Members, from whatever quarter of the United Kingdom they may come, from charges of venality and disloyalty. What can be the meaning of the term "venal," except that their conduct has been actuated by the base motive of desiring to obtain money, or some other material consideration? What can be meant by the term "disloyalty," except to charge them with conduct that would make them unworthy to be Members of this House. I think this House will do well—if it will permit me to say so—to show that it is as careful of the dignity of Members from Ireland as it is of its own dignity. If I were a disloyal Member of this House I should not desire anything better than that this matter should be passed over, and that it should go forth to the people of Ireland that when the Members that Ireland returns to Parliament endeavour to do their duty, and maintain the religion of their country and its interests in the matter of higher education, their reputations are left open to attack, and they may with impunity be charged with venality and disloyalty. I assure the House that until this moment I did not intend to take any part in this debate—I only heard of the matter incidentally, and I bought the paper in order to read the article; and when the right hon. Gentleman opposite learns that the so-called Ultramontanes are clearly pointed out and described in this article, I think he will probably be inclined to modify his opinion, and to admit that a Breach of the Privilege of this House has been committed.

MR. M'CARTHY DOWNING begged to say that he also had not the slightest idea of taking any part in this debate, but certainly after what had fallen from the right hon. Gentleman opposite (Mr. Disraeli), who seemed to think that there was no Irish Member in that House who would avow that he was an Ultramontane Member, yet, according to the true sense and meaning of the word, he (Mr. Downing) rose to say that he was one. There could be no question that it was clearly intended who the Members in that House were that the article pointed to, because it directed attention to those Irish Members who defeated the Motion of his hon. Friend the Member for Brighton (Mr. Fawcett), and it then went on to say that those Ultramontane Members were guilty of venality and disloyalty. He, as one of those Ultramontane Members, denied that he was a venal Member or a disloyal one. He had no hesitation in saying that if such language were used with reference to any body of Gentlemen in that House, English or Scotch, there would not be a Member who would not pronounce the opinion that it was a high Breach of Privilege in imputing to any number of Gentlemen in that House that they were capable of acting corruptly, because venality meant corruption, whether that venality was purchased by money, or from any other unworthy motive. Therefore he was utterly surprised that the right hon. Gentleman the Member for Buckinghamshire should endeavour, in the manner he had done, to prevent this matter from being considered calmly and deliberately in that House; and that the Leader of a great party should have taken this opportunity of saying what the right hon. Gentleman did of observations which he, as an Irish Member, thoroughly despised. It was due, however, to the Members of the party which defeated the Bill of the hon. Member for Brighton, that they should be protected as much as other hon. Members were. To show that the House would be justified in assenting to the present Motion, he would refer to the precedent in the case of Mr. Joseph K. Aston. A Motion was made that that individual should attend at the Bar of the House for having committed a Breach of Privilege by issuing a circular which requested Members to attend in their places in order to prevent a count-out, which would probably "emanate from parties personally interested, as money-lenders and agents, in debarring the Clergy" and others from the benefit of the improvements contemplated by a Bill relating to pensions. On that occasion the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie) stated that this letter did not apply to any individual Member or Members of that House, but that it had reference to other persons—namely, money-lenders and agents outside that House. The right hon. Gentleman added, however, that there would clearly have been a Breach of Privilege if particular Members had been referred to. The present case was entirely different. The Ultramontane party were distinctly referred to as being guilty of venality and disloyalty. For his own part, he had never been afraid of expressing his opinions, and he now asserted that he was as loyal to the Queen as any English or Scotch Member of that House.

The ATTORNEY GENERAL: I am sure that everybody must sympathise very strongly with the feelings of any hon. Member of this House who deems his character to have been aspersed and his loyalty called into question; and no excuse or apology is needed on the part of the hon. Gentlemen who have brought this matter forward on account of the article to which they have called attention. Everybody must sympathise with them if the article were really intended to asperse the motives and characters of hon. Members. Nobody reading the article can sympathise with it, and every

Member of the House of Commons must feel that the matter is well worthy of the attention of the House. I agree with the hon. Gentleman who has just spoken, that it is a serious matter if the honour and character of Members of this House are publicly aspersed. Certainly it is a matter which cannot be got rid of by a joke. While, however, the Privileges of Parliament ought to be maintained, and while it is most desirable for this House to assert its dignity when it is called in question, it is also most important that the Privileges of Parliament should not be extended, and that we should not commit ourselves to a course from which, if we happened to be in error, we should find it difficult to retreat with dignity. It is, therefore, most desirable that in any step this House may take it should found itself on Parliamentary precedent and be guided by Parliamentary law. Now, I find it laid down in the clearest terms in the book which is always referred to as the authority on questions of this kind — Sir Erskine May's *Law and Practice of Parliament*—that in order to constitute a Breach of Privilege, it is not sufficient to attack the characters of Members of the House, but the characters of Members of the House must be attacked in their capacity as Members. If they are accused of doing anything discreditable it does not amount to a Breach of Privilege unless they are accused of doing so as Members of the House of Commons. There might be in the House—although I do not for a moment mean to suggest that there are at the present time—Members whose private character and conduct outside the House would become a subject of observations. That would be a fair matter for observations, and if libels were published such persons would have the ordinary means of redress. But such observations are not a Breach of the Privileges of Parliament. The book I just alluded to says—

> "Libels upon Members have also been constantly punished; but to constitute a Breach of Privilege they must concern the character and conduct of Members in that capacity."

That is, in the capacity of Members of Parliament. Now, as I followed the language of the article, which I heard for the first time, it is to this effect:—

> "It is not surprising that certain Members of the House should resort to every quibble dis-

coverable in the technicalities of the law of Parliament to delay or defeat a measure like Mr. Fawcett's."

So far, I apprehend there is no Breach of Privilege. It is perfectly legitimate to say that Members resorted to any quibbles in Parliamentary law to which they may be disposed. We should commit ourselves to a very undesirable position if we were to suggest that such an observation as that was a Breach of the Privileges of Parliament. The article proceeds to say that Mr. Fawcett's measure "cuts the ground from under their venal agitation, and their traffic in noisy disloyalty." As I understand, neither "venal agitation" nor "traffic in disloyalty" could take place in the capacity of Members of Parliament. Neither "venal agitation" nor "noisy disloyalty" can be applied to anyone in his capacity as a Member of this House. As I can lay down no law for myself, I can only appeal to that authority to which we all defer. I venture to submit that matter, Sir, to you, who are, after all, the authority of this House, and to ask you whether the construction which I have suggested, and on which I myself offer no opinion, is, or is not, a tenable construction. If it be, I think everyone will be glad that the Privileges of Parliament, while honestly maintained, should never be extended, and that we should not embark on a course from which it would be difficult, if not impossible, to retreat with dignity.

MR. AGAR-ELLIS: I am not an Ultramontane, and, therefore, the matter does not affect me. The Attorney-General has told us what he considers to be the law of the matter; but I am afraid we do not all quite understand his law. I think he has come to a conclusion which many of us on the other side of the water do not agree with. We must all agree that the language which has been read from the Table is, to say nothing more, disgraceful. But whether legally it is a Breach of Privilege I do not know. There can be no doubt, however, what is meant by the article; and I do not think the right hon. Gentleman (Mr. Disraeli) has added much to his laurels by treating the matter as a joke. There are Members in the House who feel the matter most deeply, and if my hon. Friend goes to a division I shall vote for the Motion. Under the circumstances, however, I should not recommend him to go to a division.

MR. OSBORNE: I apprehend that the House has been as much taken by surprise as myself at this debate, which has been brought on without Notice. I cannot think that the few words containing the legal opinion of the Attorney-General are very satisfactory. It sounded to me very much like *Nisi Prius*, and I do not think it was the proper way in which to allude to this matter. I hope the House will not be led away by the term "Ultramontane," for I confess I am one of those who do not know exactly what it means. I have heard the right hon. Gentleman at the head of the Government himself called Ultramontane, and I have heard every Gentleman who advocates religious freedom to the Roman Catholics called Ultramontane. In fact, Ultramontanism is one of those big words which are forged for these occasions. The case is simply this:—A number of Roman Catholic Gentlemen, who sit on this side of the House, who vote as honourably and as conscientiously as their Protestant fellow-countrymen, have been grossly insulted on this print, and I do not think a proper construction has been put upon the few words which fell from the right hon. Gentleman (Mr. Disraeli). I am sure that he treats the matter in the same way that I do. He places no sort of reliance or authority on this print; but he gives the best and most friendly advice to the Roman Catholics to treat this attack with the contempt it deserves. I think the right hon. Gentleman has been misunderstood. Whether the law of the matter has been made clearer by the Attorney-General is a different thing. I think he has rather forced a division on the hon. Gentleman who brought forward the Motion. That hon. Member is a young and adventurous man, who has to-day taken his seat in this House after a long tour in America, where, in his absence, he was "killed." As a much older Member of this House, I would advise him to be content with having brought the matter under the notice of the House. They well knew that the Roman Catholic Members for Ireland were as conscientious, as incapable of venal practices, and noisy disloyalty, as any other Members of the House. Let the hon. Member be content with having brought the matter before the House; but let him not bring up the poor printer and publisher to the Bar of the House. That is only a matter of form, for he will not get at the man who wrote this article. It is an insulting article, and let it be treated with the contempt which such articles deserve when they are applied to an honourable body in this House.

Mr. RONAYNE said, he was opposed to the introduction of this Motion, because he was opposed to any limitation of free discussion by the Press. They had in Ireland suffered so much from the "gagging laws" passed by that House on their Press that they ought to be the last people to interfere with the freedom of the Press in this country. Being a Home Ruler, he approved of such articles. He thought that the articles which appeared in the leading journals of England reflecting the opinions and prejudice of the English people were the strongest instruments for promoting the agitation of Home Rule and self-government, and he should be sorry to see them interfered with by that House. These articles had done more to promote Home Rule in Ireland than even the injurious and unjust laws which had been recently passed against Ireland. They do for Ireland what they had done for America—there they helped to keep alive the Alabama Claims, till England was compelled to pay them. Here they would promote the demand for Home Rule until England would be compelled to grant it. These things affected Irishmen much, for they were a sensitive and a proud people, and the joke perpetrated by the right hon. Member for Buckinghamshire (Mr. Disraeli) would have the same effect in Ireland that another speech of his had, when the right hon. Gentleman responded to the three cheers which were given for the famine in Ireland by his constituents in Buckinghamshire. Those cheers were rankling to this moment in the bosom of the Irish people, who would never forget them.

Mr. MUNSTER: I think the House will pardon me for saying a few words in reply to the observations which have been made upon this subject. The right hon. Gentleman opposite (Mr. Disraeli) raised the question whether there were any Ultramontane Members of the House, and hinted that they were an indistinct body. A good many years back, the great Daniel O'Connell was called to his place in Parliament, and there reprimanded for having committed a Breach of Privilege in a speech delivered outside the House. The people he spoke of were the Tories. He said the Tories had perjured themselves. I might ask the right hon. Gentleman if there are any Tories in this House. But, passing to a more serious point, I would answer the objection of the Attorney General, who said that the Members alluded to are not spoken of in their capacity of Members. I would ask, who are spoken of? The words used are "Ultramontane Members." If it does not apply to the Ultramontane Members I should like to know to whom it does apply? I do not complain of the words "quibbling" and "technicality," but I complain of the expressions "venal agitation" and "noisy disloyalty." I am anxious that the Press should have the fullest liberty, and in bringing forward my Motion I only wished to draw attention to the Press on this side of the Channel in order that the like liberty might be granted to the Press on the other side. I feel obliged to the hon. Member for Waterford (Mr. Osborne) for his jocose advise, but still I feel it my duty to go to a division on the subject.

Mr. GLADSTONE: There is one portion of this article which, notwithstanding it has been alleged to be a Breach of Privilege, as part of the subject-matter of this charge against the editor of a certain newspaper, is clearly not so. I allude to the first two sentences, of which I am the hero. I think that no one will be disposed to assert that this sentence contains any Breach of the Privileges of this House, and I submit that if the hon. Member (Mr. Munster) really intends to persevere with his Motion, he should not include a passage which is entirely distinct, and which is not a Breach of the Privileges of this House. I will venture to go a little further, and join in the representations which have been addressed to the hon. Gentleman not to press his Motion to a division. I have several times heard Motions of this kind made in this House, and have known cases in which the editors of newspapers have been brought to the Bar. The House naturally feels a very great disinclination to refuse a Motion of this kind, particularly when it feels—as I think it does feel—that a charge made perhaps against the hon. Gentleman, and certainly against several hon. Members, is totally unjust and unfounded. There may be some difficulty in refusing his Motion, but if the House feels that difficulty, let me point out to him, with great respect, that it is a real reason why he should not press the House to adopt it. What good can arise from the Motion? If unjust charges of this kind are made—as from time to time they will be made, considering the heat and haste with which the articles of the journals are of necessity produced—they inflict no real injury upon those against whom they are directed. Now, I think it is far better for this House and for the Members of this House to take their stand upon the consciousness of their endeavours to do their duty, and of the knowledge that that endeavour is duly appreciated by the people of this country, who do not lose sight of this fact in reading the intemperate expressions which occasionally find their way into the newspapers. I cannot help thinking that it would be unwise if the House were to act upon this Motion. I have never seen any of these attempts do any good, and, with the fullest sympathy for the hon. Gentleman and those who feel themselves aggrieved, I think, not only that he has done sufficient, but that what he has done has been perfectly justifiable and right, not only on his own, but on the part of his friends in calling attention to this matter. I would, therefore, venture to hope—the more so, perhaps, as his experience as a Member of this House has not largely accumulated—that he will be content with the discussion he has evoked, and wisely forbear to press his Motion to a division.

Sir JOHN ESMONDE trusted that, after the speech of the right hon. Gentleman at the head of the Government, and the very satisfactory expression of feeling on the part of the House, that his hon. Friend would withdraw his Motion. He should not have made that request but for the speech of the right hon. Gentleman, because what had fallen from the Attorney General would, without that speech, have rendered a division almost imperative.

Mr. MUNSTER said, that, after the speech of the right hon. Gentleman at the head of the Government, and in deference to the general feeling of the House, he felt bound to withdraw his Motion. He could not help adding that his satisfaction at the expression of opinion on the part of the House was greater than could be afforded by any result which might attend its passing.

Motion, by leave, *withdrawn*.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE NAVAL RESERVE.

MOTION FOR A SELECT COMMITTEE.

Mr. BRASSEY, in rising to move that a Select Committee be appointed to inquire into the condition of the Naval Reserves, expressed his regret, in which they would all share, at the death of Mr. Graves, in whom the British seaman had lost a sincere friend and an able advocate. In discussing the question of Naval Reserve it should be remembered that the *personnel* was far more important and more difficult to create than the *matériel* of the Navy, and that the training required for the man-of-war's-man of modern times was more elaborate than was formerly necessary. History conclusively proved the essential importance of a merchant navy to any naval power, and if it was fair to take the mercantile navy as a basis to determine the relative strength of different maritime Powers, the situation of this country was pre-eminently satisfactory. The tonnage of the mercantile fleet of England was 7,142,000 tons, that of the United States 1,500,000 tons; Germany, 1,305,000 tons; France, 1,077,000 tons; and that of Russia 250,000 tons. With such advantages we ought to be absolutely secure against attack, and able to exercise a decisive influence in all questions of foreign policy, and especially the Eastern question, in which our interests were intimately involved. But, unfortunately, our maritime population no longer showed any tendency to increase, and our Naval Reserve, in consequence, exhibited a proportionate diminution of strength. The Royal Commission of 1859 recommended that the standard of strength for the Naval Reserve should be maintained at 20,000 men, and for the Naval Coast Volunteers at 10,000 men. The actual strength of the Reserve in 1866 was 17,000, and in 1873 it had been reduced to 12,000 men. The Naval Coast Volunteers scarcely exceeded 600. Considering the great changes which had taken place in the Navy since 1859, he thought a renewal of the inquiry which then took place most desirable, and that was his reason for now moving for the appointment of a Committee. He thought the reduction in the number of the Naval Reserve was very much to be regretted. As to the efficiency of the Reserve, we had had repeated assurances of a very satisfactory character from Admirals Cooper Key, Warren, Elliot, and others, by whom the Reserve had been officially inspected. The Reserve, however, might be made much more effective than it was if greater liberality were displayed in providing the necessary facilities for naval gun drill. The greater number of the guns on board the training ships of the Reserve were 32-pounder smooth-bores. Of 6½-ton guns—by comparison the general armament of iron-clads—there were only two on board the training ship, at which the whole of the Reserve men residing in the London district, some 1,200 in number, were trained. He might add that the cost of the ammunition was not an element for consideration in this case, as the guns on board the *President* were never fired. He had of late attended frequently at drill on board the *President.* Pulling the same ropes and manning the same winch-handles with the men, he had opportunities of forming an opinion of their personal qualities, and he could testify that the men belonging to the Reserve, as a rule, took a deep interest in their work. The Reserve suffered, however, in point of efficiency; not only from the want of more perfect appliances for drill, but also from the want of any pecuniary encouragement to attain the highest possible degree of efficiency. Under the rules, which until very lately were in force, a uniform rate of pay was given to every seaman in the Reserve, irrespective of his conduct or proficiency in drill. In the Navy, the system of rewarding good discipline and efficiency by pecuniary advantages had been developed to the greatest possible extent. In the gunnery line, more especially, the various classes of pecuniary rewards had been conceived in the most liberal spirit. If this system were found necessary in the Navy, where they had the means of preserving discipline and creating another and higher stimulus to exertion through the influence of an admirable *esprit de corps*, how much more necessary must it be in the Reserve, where the men were never assembled together long enough to afford their officers an opportunity of establishing a personal influence over the men? The revised rules contained a provision for giving a badge, with an allowance of 1*d.* a day, for every Royal Naval Reserve man passed out from the drill-ships as a trained man. The pay was the same as in the Navy; but in the Navy the seamen had an opportunity of earning 365 pence in the year; whereas, in the 28 days during which the Naval Reserve men were at drill they could not earn more than 2*s.* 4*d.* Again, the seaman in the Navy, on becoming a trained man in gunnery, was merely on the bottom round of the ladder. There were an infinite number of rewards for proficiency in gunnery to which he could attain; whereas the ultimate reward of the Naval Reserve man was limited to the paltry sum which he had named. He would recommend that a trained man in the Reserve should receive a gratuity of £1. The additional expense to the country would be slight, and they would at least have the satisfaction of knowing that the men who earned the gratuity possessed a respectable knowledge of the most essential part of a man-of-war's-man's duties. Within the last week a revised code of rules had been promulgated for the Reserve, containing amendments on the old rules, all of which he heartily approved. Almost every improvement which could be carried out without spending more money had been effected. The Government might object to the proposals which he had to make, because they involved some additional expense. He sympathised with the Admiralty in their anxiety to keep down expenditure, for there could be no doubt that in consequence of the increase that had taken place in the price of materials and in wages, and in consequence of the altered conditions of naval architecture, the old estimate of £1,000 per gun for a ship of war had been advanced to about £100,000 per gun; but, compared with the tremendous outlay on our iron-clad ships, the cost of carrying out his suggestions would be an insignificant item. The present scale of naval expenditure, if set down at an average of £10,000,000 a-year, constituted but a very moderate premium of insurance against the dangers of invasion or the anxiety and disgrace of a sudden panic. In 1858 the total value of our imports and exports was £234,000,000 and the tonnage of our merchant vessels was 4,211,000 tons. The value of our trade in 1870 was £547,000,000, and the tonnage of our shipping was 5,633,000 tons; while the expenditure on the Navy had been reduced, in the interval, from £10,590,000 in 1858, to £9,900,000 in 1872. He would now point out those other improvements which he regarded as essentially necessary. Why, he asked, were the numbers of the Reserve so considerably reduced? To some extent that reduction was due to the greater care exercised in the admission of candidates for enrolment, and to the dismissal of ill-conducted and inefficient men. The rules, however, formerly in force excluded a considerable number of seamen in every way qualified for the Reserve. Seamen could not be re-entered unless they were actually serving at sea. Under this rule many experienced seamen were ineligible. Again, the qualifications excluded all but *bonâ-fide* seamen from the second-class Reserve. Fishermen and boatmen were ineligible. Under the revised code, however, an acquaintance with square-rigged vessels, and residence on board a training ship while at drill, were no longer necessary. Under the regulations originally drawn up, the seaman enrolled in the second-class Reserve in the Port of London was compelled to attend drill on board the *Penelope* at Harwich, while the seaman of the first-class Reserve was allowed to remain at home and drill on board the *President* in the West India Dock. All that it was desirable to alter in the regulations as to qualification had been altered in the revised rules; but he much regretted that the allowance for travelling expenses was not more liberal. For seamen residing in London, there was only one ship or battery at which they could be drilled—namely, the *President* in the West India Docks. Either there should be another drill ship, on the Surrey side of the river, or the seamen's expenses in travelling to and fro should be paid. The removal of the restrictions on enrolment for the Reserve would, he hoped, have the effect of adding considerably to their numbers. But the severity of the restrictions was not the only reason why it had been found impracticable to keep up the number to the standard recommended by the Royal Commission. There were two other causes at work, the first of which was the tendency in our maritime population to decrease, owing to the immense increase in the number of steamers, which did not require so large a proportion of sailors as sailing vessels; and the second cause of diminution was found in the material reduction that had taken place in the proportion of sailors required in comparison to the tonnage of vessels. Since the opening of the Suez Canal, shipbuilders had been employed almost exclusively in the construction of steamers. In 1864 the total tonnage of the Mercantile Marine was 7,103,000 tons. In 1871 it was 7,142,000 tons. But while the tonnage of steam vessels in 1864 was 770,000 tons, it had increased to 1,412,000 tons in 1871. In 1868, 237,687 tons of sailing vessels were built, and 78,508 tons of steam vessels. In 1871 only 56,545 tons of sailing vessels were built, but the construction of steamers had increased to 297,810 tons. Again, owing to the substitution of iron for wood, the proportion of our ships was very different from what it was. Mechanical appliances had been multiplied. Patent blocks, steam winches, and other substitutes for manual labour had been introduced; and the result was that whereas, in 1854, the proportion of seamen to every 100 tons was 4·7, it had been reduced to 3·25 in 1870. It should not be forgotten that the value of the commerce which our Navy would be called on to protect in case of war had vastly increased, and that the withdrawal of our troops from the Colonies would make the task of defending them more exclusively than heretofore the work of the Navy. It had been stated that the number of British seamen had diminished by the introduction of foreigners; but this was not the case. In 1864 the number of foreigners in British ships constituted 12·6 per cent of the whole number of seamen employed. The percentage had been reduced in 1870 to 10·1. It was also affirmed that the seamen had not only diminished in number, but that they were inferior, both in character and skill, to their predecessors; but it was difficult to reconcile this opinion with the fact that our ships were manned by a smaller number of hands, made quicker passages than ever before, and were never laid up in winter. But in such matters they could not venture to dispute too obstinately with those who had the best opportunities of forming an opinion. The reports from Liverpool were most decided on this subject. The inferiority of our seamen, so far as it existed, might partly be attributed to the increase in the number of steamers. But in the Mercantile Marine, where speedy transit was all-important, the substitution of steamers for sailing vessels was, in many branches of the shipping trade, inevitable; and, *pro tanto*, the Mercantile Marine would not be so good a school as it used to be for training seamen for the Navy. The inferiority of our seamen had also been attributed to the abolition of compulsory apprenticeship. The repeal of the Navigation Laws had led to a great reduction in the number of apprentices enrolled. The number was—in 1845, 15,704; in 1846, 10,370; and in 1871, 4,111. The annual waste of British seamen was computed at 10,000, of whom, unhappily, 3,000 were lost by drowning. We had only 4,000 apprentices, and therefore 6,000 seamen must be supplied from foreign countries, or at least without apprenticeship. In the interests of the Navy, it was necessary to do something to increase the supply and improve the quality of seamen in the merchant service. The shipowners, however, were perfectly able to take care of themselves. There was no difficulty in obtaining men for steamers, because men on steamers were paid higher wages. The wages of ordinary seamen had not been increased for the last 20 years, and as seamen could turn their hands to anything, it could scarcely be a matter of surprise if many of them sought employment on shore in better paid and less arduous occupations. The training in the Navy itself far surpassed any other; but it cost £55 per head for every boy under training, as against £25 per head for boys trained in the ships maintained by philanthropic societies. The difference was caused partly by additional instructors. The ships of the philanthropic societies rendered, however, excellent service. The Marine Society of London supplied 167 boys to the Navy in 1871, and since its foundation, in 1756, the Society had sent 26,754 lads into the service. But more instructors and better appliances were necessary in these ships, and, above all, brigs should be attached to the stationary vessels, in which the more efficient lads could be sent for a cruise at sea. The training-ship maintained by the City of New York was kept constantly cruising in Long Island Sound. The expense of giving this more complete instruction was beyond the scope of private philanthropy, and it was questionable whether the Government should not assist these societies. The Royal Commission of 1859, at whose suggestion the Naval Reserve was established, strongly recommended that 12 school ships should be established at the principal ports, each capable of receiving 200 boarders, of whom 100 should be nominated by the State. After an apprenticeship of four years the young seamen entered in these vessels would be eligible for the Reserve. A somewhat similar plan had been proposed by Sir Frederick Grey; and Mr. Thomas Gray, of the Board of Trade, had suggested that the Government should take over one of the ships now maintained as a philanthropic institution on the Thames, and one of those on the Mersey, and that all boys entered in either of the ships taken over by the Government should, in consideration of the superior training which they would receive, and which would probably enable them to command superior wages in the merchant service, agree to serve for a year in the Navy on the completion of their apprenticeship, and afterwards to join the Reserve. Another proposition which he most earnestly commended to the consideration of the House was that the Government should encourage owners of ships of an approved class to take apprentices, by giving a bonus for every apprentice on board their ships who had been duly indentured to the Registrar General as a Government apprentice, and had agreed, on the completion of his apprenticeship, to serve in the Navy for a year, and afterwards to join the Reserve. The number of apprentices should be limited—say one for every 100 tons—and the ships should be of an approved class. A bounty of £5 might be paid to the apprentice on joining the Navy for his year of service, The advantage of this plan over that of training-ships was that it would be both more practicable and less expensive. The officers of the Reserve also demanded attention. The half-pay list of the Navy contained a multitude of names of officers without private means, and eager for employment. Could not this be remedied by first creating a Reserve of officers in the Mercantile Marine, and then reducing the number of officers in the Navy to something like the number actually required in time of peace? Young gentlemen, socially qualified for service in the Navy, were being educated on board the *Conway*, in the Mersey, and the *Worcester*, in the Thames. If the Admiralty were to afford to these officers a competent knowledge of gunnery, we should have in them an invaluable reserve of officers. For this purpose a short practical course of gunnery and naval tactics should be arranged, in connection with the *Excellent*, analogous to the course of military instruction for Volunteer officers at Aldershot. Eligible young officers of the Mercantile Marine should be encouraged to go through the course by the offer of a premium, to be paid to them on their passing a satisfactory examination. The premium should be sufficient in amount to cover the expense of their residence in Portsmouth, and also to compensate them for their loss of income while remaining on shore for the purpose of study. The Board of Trade would do much to promote the success of this scheme by raising the standard of examination for the extra master's certificate, so as to include both modern languages and the more important elements of commercial science. The privilege of going through the course on board the *Excellent* might be confined to officers who had passed this higher examination. The creation of the Naval Academy at Greenwich would doubtless do much to facilitate the fusion between the officers of the Reserve and the Navy, which, from every point of view, was much to be desired. From the Royal Naval Reserve he would turn to the Coast Volunteers. Recent naval administrators had unaccountably neglected this branch of the Reserves. The Committee of 1852 recommended a force of 6,000 Coast Volunteers, and the Royal Commission of 1859 advised that the number should be fixed at 10,000 men. According to the latest estimates, the number had been reduced to 600. It could not be said that eligible men were wanting. The latest Return showed that 153,000 men and 14,000 boys were employed in the fisheries of the United Kingdom. In point of physical power the fishermen were superior to the seamen in foreign trades. Their local knowledge would be of immense value in coast defence, and the fact that they had fixed places of residence, and never sailed under a foreign flag, made it certain they would always be found when required. Of their moral character he could speak with the greatest confidence. The Coast Volunteer was not popular in the Navy, because the men originally enrolled, were admitted into the service for political purposes with discreditable laxity; but it would not be difficult to raise from among our fishermen a Reserve equal to the standard recommended by the Royal Commission. He trusted, from a perusal of the revised rules, that there was a disposition to induce the fishermen to join, not the Naval Coast Volunteers, but the second-class Naval Reserve. The means, however, which were proposed for carrying out this policy were inadequate. The fishermen were congregated in isolated communities on various points of the coast. They were men of domestic habits, and it would be difficult to induce them to join the Reserve if they had to be drilled far from home. The list of ships and batteries at which the Naval Reserve might take their drill, though imposing enough in point of numbers, did not include some of the most important fishing communities. There were batteries at Poole, where the number employed in fishing vessels was only 214; at Maryport, where there were only 69; and at Lynn, where there were only 266; but there were no establishments at Sligo, which had 4,800 men and boys in the fishing vessels of the port; none at Skibbereen, which had 5,500; none at Banff, which had 5,600; at Stornoway, which had 8,000; at Wick, which had 8,400; nor at Inverness, which had 9,000 fishermen. The Manning Committee of 1852 strongly recommended that the Scotch naval station should be re-established. Where the Navy was best known, there the flower of the population were ready to enter it. In 1852 there were more men in the Navy from the village of Cawsand, near Plymouth, than from the

Port of Liverpool. The Return of the counties in which the boys in training-ships in 1871 were born showed that, out of 2,888 boys, only 90 came from the whole of Scotland, only 112 from Lancashire, including the Isle of Man as well as Liverpool, only 23 from Suffolk, 11 from Norfolk, and 18 from Wales. Could it be supposed that the great seafaring populations on those coasts had ever been made thoroughly acquainted with the advantages of service in the Navy and the Reserve? The fluctuating nature of their occupation would enable the fishermen to attend drill with little inconvenience. The drill could be taught in the most effective manner, and with the least expense to the Government, by sending a gunboat to visit the fishing ports at the slack season. These periodical visits of a smart, well-organized gunboat would do much to create a favourable impression of the Navy among the fishermen. The expense of keeping a few gunboats in commission for this purpose would be nominal; for we had more seamen at present in the home ports than it was possible to employ in sea-going ships. Some of these men might be attached to gunboats instead of remaining in stationary flagships. In addition to the various descriptions of forces already enumerated, an attempt had been made to extend the Volunteer movement to the coast defence service. A corps composed at present of 100 gentlemen employed in banks and private offices in the City had been provisionally enrolled, and several hundred additional applications for admission had been received. The Volunteers actually entered had attended drill on board the *President,* and he was enabled to state that, in the opinion of the instructors, they were the most intelligent gunners who had ever been drilled on board the ship. The movement had extended itself to Liverpool, where the First Lord of the Admiralty did so much to initiate it by an encouraging speech. It remained to be proved whether the idea was a practical one. Not until the Volunteers had been afloat in a gunboat for a few days, and had shown their ability and readiness to perform all the duties which devolved on a seaman in a gunboat, should he venture to regard the experiment, with which he had the honour to be associated, as an accomplished fact. Much of the success of the Naval Volunteer movement must depend on the readiness of the Admiralty to afford the necessary facilities. The most immediately pressing matter was the appointment of a commanding or inspecting officer. Until the Admiralty placed a naval man of rank and experience at the head of the Volunteers, an invaluable aid to efficiency would be wanting, and the formation of a contingent at many of the ports round the coast would be indefinitely delayed. The formation of an able staff of inspecting officers for the Reserve was essentially necessary to secure their efficiency. The Reserves, including the Coast Guard, now numbered not less than 20,000 men. Surely, the supreme command of such a force was a task worthy of the most distinguished Admiral in the service. The Commander-in-Chief should be supported by a sufficient staff of naval officers, to whom should be assigned the supervision of the Reserves in the St. George's Channel and on the East coast of England. While hitherto there had been no inspecting staff for the Naval Reserve, a very different policy had prevailed at the War Office in providing a staff for the inspection of the land Volunteers. An Admiral sent on an occasional tour of inspection was not a sufficient substitute for an officer specially devoted to the duty. In urging the appointment of a staff officer, he did not undervalue for a moment the services of that admirable body of men, the seamen instructors in gunnery in the drill ships of the Reserve. It was impossible to speak too highly of their zeal, their intelligence, their discipline, and their consummate knowledge of the subject on which it was their duty to give instruction. But naval officers, judiciously selected, would exercise a higher influence over the *morale* of the Naval Reserve. The merchant seamen would feel themselves, in a larger sense than heretofore, an integral part of the Navy of England. They would be inspired by its great traditions, and the confidence which they would acquire in their officers would be an invaluable guarantee for their conduct and discipline should they ever be called upon to join Her Majesty's service. The hon. Gentleman concluded by moving the appointment of the Committee.

MR. LIDDELL, in seconding the Motion, wished to call attention to the alternative scheme which the Commission of 1859 eventually wished the country to adopt. They proposed a Naval Reserve enlisted from the adult seamen as a purely provisional scheme, but pointed out with great force the obvious objections to dependence for all time upon a Reserve raised from the ranks of the adult seamen, and their real scheme was that a Reserve should be formed from boys trained in the school ships, a certain number of whom should be paid for by the State upon condition of their joining the Naval Reserve. The Commissioners said—

> "Your Majesty will perceive that for the future maintenance of this force we propose to rely in a great measure on boys specially trained for this purpose, in conformity with the plan adopted in the Navy with so much advantage."

He would not say a word in disparagement of the men now in the Reserve; but it was evident they could not compare with boys trained in discipline and obedience from their early years. They suggested that 12 training ships should be maintained at 12 of the principal ports of this country—and they made the statesmanlike proposal that boys of the merchant service and boys of the Navy should be trained together, so as to form associations which would last through their lives, and promote an *esprit de corps* that would raise the tone and character of the whole merchant service. But nothing had been done to give effect to this scheme. It had been entirely ignored. There were 13 training ships in this country, and £20,700 of public money was spent upon them, flowing in driblets through the channels of the penal departments of the Home Office. The Commission recommended that 2,400 boys should be trained, annually in these school ships, and the number of boys in training given by the last Return was 2,300; but many of them were in reformatory ships, and the rest in industrial school ships, to which boys were sent by magistrates' order. That was not the class of boys contemplated by the Royal Commission, who wished the retainer to be an incentive to good conduct offered to boys born of honest parents. But at present not a farthing of public money went towards the support or education for sea service of the children of honest parents; and the moral effect of what we were doing was rather mischievous. It was, of course, perfectly right to assist philanthropic efforts; but we were losing sight of the great principle put forward by the Royal Commissioners. They recommended that £40,000 a-year should be spent on school ships, which would have secured for us the services by this time of many thousands of boys. At the present moment we were spending over £20,000 per annum without educating a single child of honest parents for the sea service of the country, or securing for the Navy a single seaman. He hoped that in saying this he should not be supposed to be passing any stricture upon the existing institutions of this character—they were doing very good work, they deserved all support and assistance but they fell far short of the scheme which had been proposed by the Royal Commissioners. He believed it was very requisite that something should be done to raise the tone of the merchant service. Ever since the merchant navy had been freed from restrictions as to manning and nationality, great difficulty had been experienced in obtaining apprentices, and the want of them was often complained of at this moment. In consequence of the Act 5 & 6 *Will.* IV. having failed to bring into the Royal Navy a sufficient number of apprentices, pauper boys were forced into the merchant service, but a supply of only 5,000 or 6,000 was obtained. The effect of the compulsory Act, passed in 1844, was to increase the number from 6,259 to 15,740 in the first year of its operation; and when it was repealed the number of apprentices on the Register was over 30,000. In 1854, which was the first year of the absence of regulations with regard to the manning of ships, the number of seamen in the merchant service was 162,000, and the number of apprentices was 8,000; whereas, in 1870, while the number of merchant seamen was 196,000, the number of apprentices was only 4,200. In order to secure for this country in time of emergency an efficient Reserve, we must rely upon the co-operation of the shipowners. [Mr. GOSCHEN: Hear, hear!] He was glad to see that the First Lord of the Admiralty recognized the truth of that remark; but he believed no steps had been taken to obtain the co-operation of the shipowners, either with regard to men or boys. It was very unjust for the Government to take from the shipowners their best men at the very time when it was most inconvenient and dangerous to part with them; and some advantages must be given, either in the form of money payment or in money's worth, in order to compensate the shipowner for being deprived of his best men in an emergency. At present there was a demand on the part of the shipowners for trained apprentices. The Report of the North of England Steam Ship Owners' Association, issued about a year ago, contained a letter addressed to the President of the Board of Trade, in which the following important passages occurred:—

> "For some time past considerable difficulties have been encountered by shipowners desirous of obtaining competent seamen to navigate steam vessels. The number of apprentices to the sea has been for several years diminishing, and is now so low and disproportionate to the demands of the service as to cause serious apprehensions respecting the future supply of good and experienced sailors."

That was a very grave statement. The shipowners also said that, of the very fine lines of steamers carrying coal and iron to the London markets from the north-eastern ports not one vessel in ten had an apprentice on board; and if that was true of other ports most lads must be found in sailing vessels. But it was complained that the regulations of the Board of Trade, being confined to lads trained on board sailing vessels, prevented parents sending their boys to sea, because the training they needed for obtaining active employment was only to be obtained on board steam vessels. The Report to which he had referred made this suggestion—

> "Having carefully considered the whole question on various occasions, your Committee have arrived at the conclusion that the only way of checking the rapid decline of apprentices in the merchant marine is either to adopt an examination in seamanship and requirements of steam vessels, or to institute for such vessels quite a different mode of examination."

Several suggestions had been made as to the privileges which might be extended to shipowners as a condition of their co-operating with the Government in raising an efficient Naval Reserve. He had heard it suggested on good authority that the Government should offer certain privileges to those shipowners on board whose ships a certain number of apprentices were employed—such as the use of Government dockyards in foreign ports and the right to gratuitous assistance in salvage from Government vessels. It might also be made a condition on which all subsidies were paid that the subsidized ships should carry a certain number of apprentices. He merely threw out these suggestions for consideration; but he wished strongly to impress upon the Government, that however the Naval Reserve might be formed, for its success we must depend upon the assistance of the shipowners. He wished to know what proportion the Reserve of 12,600 men at this moment bore to the Reserve of our ships. Was it adequate, or anything like adequate, to man the ships we might require at sea in case of emergency? To say that we were at peace was to take a narrow view. Recent wars had shown us that success attended the immediate concentration of the largest number of men, and could we presume that nations which had adopted this policy on land would neglect it at sea? The French Government could command the services of every available seaman on the coast in case of emergency, and would the Germans, with their organization, overlook the importance of such an arrangement? It would be short-sighted in us to lose the advantage we possessed for the sake of a few thousands a-year, which would secure us an efficient Reserve. We spent £20,000 annually in driblets, and secured not a single Reserve seaman for the money, and for £40,000 we could carry out the scheme of the Commissioners. We had done what they recommended as provisional only; but we had not carried out their more important recommendations, and he did not see any attempt to do it. He should like to see service in the Reserves of this country held up, not as a refuge for the destitute, but as an incentive to good conduct to the youth of the country. He should like boys to be taught in their schools that it was a privilege to fight for their country. He wished to see the merchant navy and the Royal Navy brought into more immediate association, and if this were done it would tend to the benefit and security of the country.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the condition of the Naval Reserves,"—(*Mr. Brassey,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

ADMIRAL ERSKINE said, the last speaker had called attention to an important point which had previously escaped notice—the proportion of seamen in the Reserve to the number of ships in Reserve. A true Reserve must consist of ships, seamen, and officers; and there must be a due proportion of all three. To ensure a Navy efficient in the event of war we must either keep up a war establishment in time of peace, or else we must train men who would enter into a voluntary obligation to serve in the Navy, adopting the principle which we did in our Army, and which other Powers did in their Armies and Navies. But our naval authorities seemed to adopt the reverse principle, for they had allowed the Reserve of men to fall from 16,000 to 10,000, whilst they increased the number of seamen serving afloat. [MR. GOSCHEN said, the number was 12,000, and it had never been as low as 11,000]. He did not contend that we had a larger number of men afloat than the affairs of the world required. For several years past he had endeavoured to impress upon the House that an annual drain of strength was going on from the Navy. In 1856 the 10 years' service system was adopted. Consequently in 1866 the services of a considerable number of men expired, and 1,500 men then took their discharge without entering into any engagement to serve again in the Navy if required. In 1871 he was told that 80 per cent. of the men re-entered the Navy; but he found that in 1871 there were 477 men discharged through their service having expired, and 440 men were paid off, making together 917; while the re-entries were only 402, making only 40 per cent. instead of 80. But even if the re-entries were 80 per cent the system was not wise or satisfactory. In 1749 a scheme was proposed by Lord Barrington, then First Lord of the Admiralty, to make an annual allowance to men who had served in the Navy, with the view of rendering their services available in case of necessity, and the Prime Minister (Mr. Pelham) pronounced that no scheme was so good for the purpose as retaining supernumeraries at a small annual allowance. The House passed the Resolution, but forgot to vote the money for putting the plan into execution; so like many other abstract Resolutions it was never practically carried out. If that had been done perhaps the country would have been spared all the horrors of impressment, and the Navy would not have fallen into that bad odour which still clung to it among ignorant people. Now that impressment was doomed, it was more imperatively necessary than ever that we should form a Reserve of the trained seamen whom we were now allowing to slip from us without any reason whatever. Not one-third of the seamen were even proposed to be ready for the ships which were supposed to constitute our Reserve. Then, as to officers. Taking the present number of seamen at 39,000, the officers of all grades employed with them would amount to 1,224. They had then to consider the question of how many officers would be needed for the 11,000 or 12,000 who might be called out, and the number would be found totally inadequate. We had not even the sketch of a real Naval Reserve drawn out. What the Admiralty trusted to was to wring out of the House of Commons what money they could for building ships, and then to coax out of the merchant service as many men as they could. They ought to adopt a plan by which they could legitimately add to their maritime strength by discharging men annually into the mercantile marine, and at the same time commanding their services in adequate numbers in the event of war. The whole question urgently required investigation, and he therefore cordially supported the Motion.

MR. ALDERMAN LUSK said he was also in favour of the proposed inquiry. Of the 12,000 men who might be called out the services of a great many would not be available on the outbreak of a war. It might be useful if a Committee was to direct its attention to the class of men going to China, New Zealand, and California. It had been customary for hon. Members to lecture shipowners as to the number of apprentices they should have on board their ships; but he did not see why they should be bound to employ a certain number of apprentices any more than employers of labour in other professions. He did not believe the number of apprentices was as small as had been represented. He believed sailors were as good as in times past, drunkenness, indeed, having decreased in the merchant navy. He hoped the proposed Committee would be appointed, for it might be useful in preventing unnecessary expenditure.

Mr. SHAW LEFEVRE said, that his right hon. Friend the First Lord of the Admiralty would have to speak on some other important questions which stood next on the Notice Paper, he would therefore ask permission of the House to reply to the hon. Member for Hastings. He concurred in the remarks of his hon. Friend on the loss of the late Mr. Graves, who had made this subject almost his own, and whose mercantile experience, sense of public duty, and freedom from party spirit rendered his advice most valuable. His hon. Friend, however, had shown that the task had not fallen into unworthy hands. He began his speech by remarking that though the question of the *matériel* was one of great importance in relation to the Navy, that of the *personnel* was of still greater importance. In this he entirely agreed with his hon. Friend. The country had enormous resources in the way of shipbuilding, a Return before him showed that 391,000 tons were added to our merchant service in 1871, as compared with 212,000 tons in 1861, so that were it necessary to renew our fleet within a short time our private shipyards could do so; but if by any mischance a large proportion of the *personnel* were lost, it would be a difficult task to supply their places. The question of Reserves was, therefore, a very important one, but even here our resources as regarded merchant seamen were great, and he doubted whether, including our Colonial Empire, they did not exceed those of almost all the rest of the world put together. It was often said that the increase of steamers had greatly reduced the number of seamen in sailing vessels; but a Return showed that in 1854 there were 146,500 sailors in sailing vessels in the foreign and coasting trades, and in 1871 the number was 141,000, showing a reduction of only 5,000 men. In our steamers in 1854 there were 15,800 men employed, and in 1871 58,706, so that while there had been an enormous increase in the number of men employed in the steamers of the merchant service, there had been only a slight decrease in the number employed in sailing vessels. This showed that the increase of steam vessels had not operated so prejudicially, as was believed by some, on the sailing vessels. He was sorry to hear his hon. Friend give the weight of his great authority to the statement that our seamen were deteriorating. He (Mr. Shaw Lefevre) hesitated to express an opinion counter to the authorities quoted by his hon. Friend, particularly Mr. Graves; but when at the Board of Trade he had given great attention to this subject, and had visited all the ports and collected all the facts he could from the Mercantile Marine officers, and could not find that our seamen had deteriorated. Considering that the proportion of seamen to tonnage had greatly diminished, a given number of men doing more work than formerly, and considering also the enormous number of yachts and of seamen employed in them, he could not think there had been any falling off in quality. Steamers did not train men themselves. On the contrary, they paid high wages and wanted the best men. The question of seamen was a question of wages. Those who gave good wages and good accommodation, and sent their men to sea in well-found ships would have no reason to complain of any lack of good men. There were two ways by which a Naval Reserve could be obtained; the one was by passing men more rapidly through the service; the other, by enlisting men from the Merchant Service into a special Reserve. The former was more analogous to what among military men was called the Army Reserve, the latter, to the Militia. If he understood rightly, his hon. and gallant Friend rather advocated the first of these two methods. [Admiral Erskine: That of passing them through after their 10 years' service]. He would point out that we had Reserves of both kinds—the Coastguard and the Naval Pensioners were of the first kind, and the Naval Reserve men of the second kind. If the House would allow him, he would now answer the question put by the hon. Member for Northumberland (Mr. Liddell) and others, as to whether the Reserves we had already got were sufficient to man all our vessels. That was, no doubt, an exceedingly important point. He was glad to state that there was every reason to believe from the calculations which had been made that, taking the men in the Service, the supernumeraries in our ports, the Coastguard and the Naval Pensioners, we had considerably more than would be required to man the 23 ironclads which had been spoken of and every other vessel which we could possibly send to sea within any reasonable period, and a margin of something like 6,000 men would be left besides. How was that possible? The House did not, perhaps, fully understand the great change which had occurred in our requirements as regarded blue-jackets. Every year the number of blue-jackets required in proportion to other men was diminishing. By way of illustration he would take the old three-decker, the *Victoria*, which had been the flagship in the Mediterranean a very few years ago, and compare it with the *Lord Warden*, which was now the flagship there, and also with the *Devastation*, probably the fighting ship of the future. For the *Victoria* 1,100 men were required, of whom 600 were blue-jackets. For the *Lord Warden* 600 were sufficient, of whom 230 were blue-jackets. For the *Devastation* 300 men would suffice, of whom only 100 would be pure blue-jackets. Therefore, supposing we had a fleet of 10 three-deckers like the *Victoria*, we should require 6,000 blue-jackets, while for 10 *Devastations* only 1,000 would be required. That showed how much farther the force we now had would go than in former years, and it had a very important bearing on the recommendations of the Royal Commission of 1859. If these recommendations were now applied, our resources were not such as we could wish; but with reference to the change which the fleet had been undergoing since that year, our resources were by no means deficient, and at the outbreak of a war we should be in a very good position, indeed. If a war were to arise we should have not only to man all the vessels we possessed, but to take up vessels from the private trade, fit them out as cruisers, and send them to distant parts of the world. During the war between the Northern and Southern States of America the United States Government fitted out no fewer than 750 steamers and manned them with 50,000 men for the purpose of cruising, blockading the ports of the South, and for other purposes. That would be the case with us should war break out. We should have to fit out an enormous number of vessels for various purposes; and though, as he had said, we had sufficient men to supply all our vessels of war, yet we should find employment for all the Reserves we could get. At the same time, it should be borne in mind that all these Reserves would not be employed in the same important work as would be required of the men in the regular fleet; they would not all be employed at the guns. A good deal was to be said in favour of passing men through the Navy into the Reserve, and if we could see our way to do so rapidly, it, no doubt, would be the preferable course. We already educated no fewer than 3,000 boys for the Navy, and that number was sufficient, but not much more than sufficient, to keep up the supply of 18,000 men for our fleet. There was much to be said for increasing the number of boys and passing the men through the fleet. But there was this difficulty. It was alleged by naval men that we had not room in our sea-going cruisers for more boys and young seamen than we had at present. If we were to increase the number of our boys we should be reducing the average age of all the men in the Navy which naval men said could not be done with advantage. The average age was sufficiently low already. But as the proportion of seamen required for ships of war was greatly reduced, it was of infinite importance that they should be thoroughly trained in every respect. It was necessary therefore to maintain the training ships. Therefore, he could not hold out the prospect that we could pass any large number of men rapidly from our fleet into the Reserve. That being so, we must look to the Merchant Service for our Naval Reserve. The hon. Member for Hastings (Mr. Brassey) and others had pointed out that of late years there had been a tendency in the Naval Reserve to diminish in number. That was due, in a great measure, to the stringency of the Regulations of 1869, which were intended to increase the efficiency of the force by weeding it of inferior men. But he could assure the House that subject during the last year had received the most earnest attention. His hon. and gallant Friend (Admiral Erskine) appeared to think that no scheme had been sufficiently considered. But if his hon. and gallant Friend had been at the Admiralty and seen the mass of papers on the subject and the attention which had been given to it, he would have been of a different opinion. The hon. Member for Hastings had alluded to the changes which had taken place with respect to the First and Second Reserve, and seemed to have given his hearty approval to all that had been done in the matter. In the first place, as regarded the First Class Naval Reserve, the Admiralty had greatly increased the number of places where they could be enrolled. Formerly they could be enrolled only at a few places, but now they could at any Coastguard station. The restriction which before prevailed had kept men not only from enrolling, but from re-enrolling themselves after passing through the first five years of service. Twenty-eight days' consecutive drill were formerly required in the First Class Naval Reserve, and that was found to diminish the number who enrolled; but according to the new Regulations which have been framed, the men during the first year were only trained 14 days consecutively, and after the first year they might be drilled not less than seven days at a time. Again, they had provided that the trained men should receive the 1*d.* a day which was now given to the trained men in the fleet, though of course the former received the payment for a month only, while the latter had it throughout the year. His hon. Friend the Member for Hastings appeared to think that was hardly sufficient; but there was considerable difficulty in giving to these trained men a larger amount than the trained men in the fleet. At the same time, he recognized the fact that the Naval Reserve were not underpaid. Their pay was good and amply sufficient. The difficulty did not lie in the direction of pay. They had done one other thing for the trained men—they had offered them a certain proportion—55 per cent of their entries —of appointments in the Coastguard. Hopes to that effect had been held out from the early days of the Naval Reserve, but it was not till now that these hopes had been realized. He now came to the Second Class Naval Reserve, where the changes had been so considerable as almost to amount to re-constituting the force. The Second Class Reserve up to the present time had been almost a total failure from the restrictions imposed by the regulations. Instead of confining it to seamen who had served in square-rigged vessels, they had opened it to all ordinary seamen and fishermen, who constituted so very large a force in this country, which they hoped would prove a mine of wealth to the Naval Reserve. There had also been an alteration as to the age at which men were to be entered. Instead of the limit as stated by the Regulations of 1869, of 18 to 20 years, the ages at which the men might enter were now to be from 18 to 30; and they had also provided that the Second Class might be enrolled, drilled, and paid at the same time as the First Class Naval Reserve. His hon. Friend the Member for Hastings appeared to think that if, as they hoped, the Second Class Reserve increased very largely the batteries and drill ships would not be sufficient for training purposes. Of course, if they found that fishermen were entering the Second Class Naval Reserve, it would be matter for consideration whether they should not increase the number of batteries or facilitate their being drilled in gunboats or drill ships, as proposed by the hon. Member; but it would be time enough to consider that point when the Second Class Reserve had considerably increased. The new Regulations of which he had spoken had only been completed within the last month. They had been most carefully considered, and had now been issued. There had not been time to ascertain what would be their effect; but he had reason to believe that the number of both Reserves would be considerably increased. He had consulted the Registrar General of Seamen, who was confident in his opinion that when the new Regulations were well known along the coast there would be a large accession of numbers to both First and Second Class Reserve. The hon. Member for Hastings (Mr. Brassey) had alluded to the want of 6½-ton guns in the Reserve ships; but every one of the Reserve ships had two of these guns, besides others of smaller calibre. His hon. Friend spoke of 1,200 men taking their drill on board the *President*, but he very much doubted whether there would be more than 250 as an average at one time drilling on board that ship, and there would be nothing like that number in some of the drill ships—not more, perhaps, than 100 being drilled at one time. Spreading their drill over the time allowed, he believed all the men could be trained with the larger guns, and in the first instance they would be trained with guns of smaller calibre. With regard to batteries, they were nearly all formed before the 6½-ton gun was introduced into the service, and the general introduction of the 6½-ton gun would necessitate the complete change of the batteries. At the same time, it would be the duty of the Admiralty to supply proper and sufficient guns and batteries as occasion required. While he was on that point he should like to read to the House the Reports recently received from Admiral Elliot and Sir Henry Keppel on the subject of the Naval Reserve. They were most satisfactory and could not fail to give confidence to Members as to the present state of the force. Admiral Elliot said:—

> "The inspection was entirely satisfactory in regard to the men of the Naval Reserve. Those I saw were as a rule fine active seamen, well suited to the true working of the guns with much spirit and goodwill, and showing a creditable knowledge for the amount of teaching they had respectively undergone. In every ship without exception the behaviour of the Naval Reserve was reported to be entirely satisfactory."

Sir Henry Keppel, an officer of great experience, and one who was certain to speak what he thought, said of the men of the *Dædalus*—

> "As individuals they were fine able-bodied men, in the prime of life, and certainly superior in *physique* to the average of our own able seamen. Their rifle, cutlass, and great gun exercises were very creditably executed, without any noise whatever, and the men appear to have been carefully and well trained. On consulting with Commander Parsons, the gunner, and boatswain, they reported the men to be well-behaved and tractable. The gunner views the badge men as equal to our own trained men; 23 of the 42 on board are so qualified. The boatswain considers them more full of resource than our men. They are not equal to our men as leadsmen, nor would they be so smart aloft. The gunner states that notwithstanding the intervals of absence from drill the men appear to forget little of it."

Of the men in the *Eagle* he said—

> "They were scarcely so fine a body of men as those in the *Dædalus*, but still contrast favourably with a similar number of able seamen from our service."

With respect to the Naval Coast Volunteers, it was intended to allow those who now composed that corps gradually to die out, in order that men qualified for that corps might enter for the Second-class Naval Reserve; so that, in point of fact, there would then be only two corps—namely, the First and Second-class Reserves. The Admiralty hoped the effect of this arrangement would be that the number of men passing from the second to the first would greatly increase. As to the new force—the Naval Volunteers—being an extension to the Navy of the movement which had proved so beneficial to the Army, already two of these corps had been established, one at London and the other at Liverpool, and the formation of one at Bristol was now talked of. The Admiralty had cheerfully allowed the drilling of these Volunteers on board the *President*; and it would be a matter for further consideration what arrangements should be made with regard to future enrolment which could not take place under the existing law. The law relating to the Naval Coast Volunteers was not suitable; and it would, therefore, be necessary to pass a measure to regulate enrolment in the new force. The Admiralty approached the subject with every desire to avail themselves of the proffered aid, and it was intended to nominate an officer who should put himself in communication with the gentlemen who were forming these Volunteer corps, to render them what assistance he could in the matter of organization, and advise the Admiralty on all points connected with them. It would be necessary to determine in what way the new force could be assisted with gunboats, and to consider various other questions; and his right hon. Friend the First Lord of the Admiralty would, no doubt, have to submit a measure to Parliament for the purpose of organizing the Naval Volunteers. The expediency of Government assisting the training ships of the Merchant Service was discussed last Session, on the Motion of Mr, Graves, and on that occasion the First Lord deprecated the Navy undertaking to train seamen for the Merchant Service, but expressed his readiness to contribute towards any scheme devised by the shipowners in proportion to the benefit which the Navy derived, while the President of the Board of Trade pointed out how a fund could be obtained from the contributions made by shipowners to the Mercantile Marine Fund, and invited the co-operation of the shipowners in the organization of a scheme; his right hon. Friend, however, the President of the Board of Trade had taken means to ascertain the views of the shipowners of the country, but he had not found a disposition on their part to contribute to the establishment of training ships for the Merchant Service. Of course the House would not expect the Admiralty to put a Vote on the Estimates to meet the cost of training boys for the Merchant Service. When the hon. Member for Northumberland (Mr. Liddell) spoke of the loud demand there was on the part of shipowners for trained apprentices, he could not help inquiring where were the shipowners—Members of the House—while the discussion was going on. One who had been present (Mr. Alderman Lusk) had objected to the scheme of the hon. Member for Northumberland, and he now noticed but one other shipowner in his seat (Mr. Bates). The Admiralty had done what they could towards improving the First and Second Classes of the Naval Reserve, and he hoped the hon. Member for Hastings (Mr. Brassey) would be satisfied with what they had done and were doing, and with what they indicated as their policy for the future, and would not therefore press his Amendment.

Mr. BATES said, as he had been pointedly mentioned by the hon. Member who had just sat down as a shipowner who had not spoken on the subject before the House, he would not remain altogether silent. It was said that there was not sufficient room in the ships for boys. He ventured, however, to suggest where it could be found. There were several old ships belonging to the Navy. Let one be adapted for the reception of boys at every port, under the direction of half-pay naval officers. Besides these old ships there was a large quantity of stores fit for nothing else. If we employed these old ships in the training of boys we should do away with the necessity of spending a large amount annually in repairing them at a cost above what they were worth when they were so repaired. In this way we should be able to maintain Reserves at little or no cost to the country.

Mr. BRASSEY said, after the explanations and promises which had been given, he would not press his Motion.

Amendment, by leave, *withdrawn.*

NAVY—H.M.S. "DEVASTATION."

OBSERVATIONS.

Lord HENRY LENNOX rose to call attention to the case of Her Majesty's Ship *Devastation.* The noble Lord said, that that morning he had the pleasure of attending a very interesting meeting at the opening of the session of the College of Naval Architects, and there his right hon. Friend the Member for Droitwich (Sir John Pakington) stated that to-night he (Lord Henry Lennox) was to do battle with the right hon. Gentleman opposite in regard to this ship. His right hon. Friend, though right in nine cases out of ten, was wrong on this occasion. He had no intention of doing battle with the right hon. Gentleman. His object was merely to describe the history of the ship up to the present time, and to draw the attention of the First Lord of the Admiralty to unfavourable rumours which were afloat in regard to her; and no one would rejoice more than he should if the First Lord were able to tell the House and the country of the successful completion of what, when designed, was described as the most perfect type of a ship of war. He had no previous convictions to rescind and no recorded words to explain away about the *Devastation*, nor did he entertain any feeling amounting to panic as to the danger she would encounter at sea; but he brought the subject under the notice of the House, because in naval circles and among the public out of doors there was a feeling of disquietude respecting this vessel. On every possible opportunity distinguished officers had expressed their disapproval of a ship of this character being sent to sea, relying only on her steam power, and having no masts and sails. It was, however, from no feeling of hostility to the type of vessel, and still less from any fear as to its ultimate success, that he called the attention of the First Lord of the Admiralty to the present condition of the *Devastation.* He should wish to remind hon. Members who had not deeply considered this subject that the question of mastless ships was by no means a new one. In the course of last autumn some striking letters on the subject had appeared in the leviathan organ of the day from the late Chief Constructor of the Navy (Mr. Reed), in which he stated that as long ago as 1866-7 he had proposed the construction of a gigantic mastless turret ship to the then Conservative Government, and he appeared to think rather hardly of the right hon. Member for Droitwich (Sir John Pakington) for not having carried out his design. That right hon. Gentleman was not now present, otherwise he would have been able to confirm him in stating that the design referred to by the late Chief Constructor had received the most careful attention at the Admiralty, and that the right hon. Gentleman and the majority of the Board had fully recognized in it the type of the fighting ship of the future. The cause of the right hon. Gentleman in refusing to build an experimental ship of that magnitude was justified by the course which had been followed by the right hon. Member for Pontefract (Mr. Childers). While acknowledging the merits of mastless ships he declined to make an experiment on such a gigantic scale, and asked the Constructor's Department to prepare a design of a ship of the kind of about 3,000 or 3,500 tons. Afterwards the right hon. Gentleman, convinced that something must be done in that direction, sanctioned the *Devastation*, which was about 4,400 tons burden. Another reason why the Conservative Administration had not thought fit to enter on such a gigantic experiment was that all new iron-clad ships of war were more or less compromises. Nothing like a perfect fighting machine had then been added to our Navy. Every care had to be taken to preserve the special cruising qualities of our ships, while their "all-round fire" had to a large extent been sacrificed, as was the case even in our two turret ships, the *Monarch* and the *Captain*. Meanwhile, while every endeavour was being made to preserve the cruising qualifications of our ironclads, the great artillery authorities had been making such great progress, and the weight of the guns had so largely increased that the constructive Department of the Navy became convinced that the time had come when they must devise some fighting machine with thicker armour and capable of carrying heavier guns. It was evident that the only system that would enable this view to be carried out was the turret system. The *Devastation* was, consequently, approved by the right hon. Member for Pontefract; but he did not approve of it entirely on his own judgment or on the judgment of its purely professional designer, the Chief Constructor. Sir Sydney Dacres, in contrasting the turret ships the *Monarch* and the *Captain* with the *Devastation*, had stated that the masts of the former vessels would never save their crews in a gale of wind, or enable them to work off a lee shore in the event of their machinery breaking down. The design of the *Devastation* was submitted to a Committee consisting of the late Captain Coles, Sir Joseph Whitworth, Lord Lauderdale, and another competent gentleman, who came to the conclusion that a heavily plated armoured vessel with a low freeboard was capable of crossing the Atlantic. And this brought him to the point which he desired to impress upon the right hon. Gentleman opposite, as it lay at the bottom of the controversy on the subject which was now going on. The Committee at the Admiralty reported that the low freeboard was the one way of saving weight so as to enable a very heavy armour to be carried with safety; but they did not praise a low freeboard of itself as against a high freeboard in a sea-going vessel. On the contrary, Mr. Reed had stated that if he were to design another *Devastation*, he should propose to build a vessel of a far larger size in order to enable her to have a higher freeboard than the vessel in question possessed. The right hon. Member for Pontefract had stated that this vessel was not intended to be used solely as a coast defence, but that she was built as a sea-going ship. It appeared to him, under these circumstances, that two points should be clearly kept in view. In the first place, there should be no increase of weight on the ship, so as to increase her immersion below the load line for which she was designed; and, secondly, that if she was to cross the Atlantic, and trust to her steaming powers, under no circumstances ought there to be any decrease of that coal-carrying power which was so vital to her safety, The right hon. Member for Pontefract had told the House on a previous occasion that the coal-carrying capacity of the *Devastation* would be 1,750 tons, sufficient for steaming for 10 days. That was given by the right hon, Gentleman as the cardinal reason why he recommended this type of ship to be built; and the questions he should conclude by asking the First Lord of the Admiralty were, whether these weights which had been placed on the *Devastation* since she was designed had necessitated an increased immersion, and a decrease in the amount of coal-carrying power. After this Commission sat at the

Admiralty the First Lord approved the ship, and orders were given to proceed with her, and in April, 1869, her weights were calculated. She was to have a mean draught of water of 26 feet 1½ inches; her displacement was 9,062 tons. Her weights were to be:—Armament, shot, shell, and equipment, including warrant stores, 600 tons; engines, stores, and coals, 2,685 tons; her hull and armour turrets, 5,750 tons—making a total of 9,035 tons, with a spare displacement of 27 tons. Gunnery had since made rapid strides, and the Admiralty of that day had decided to change the armament from four 25-ton guns to four 35-ton guns. An extra weight of 250 tons having been added after April, 1869, it was evident that to carry this, other parts of the ship must be lightened, and he was informed that if the designs did not work out as lightly as was expected, the amount of coal-carrying power must be reduced from 1,600 tons to 1,400 tons. In December, 1870, when the ship was well-advanced, fresh calculations were made, and it was found that the ship worked lighter than was expected. She was again tested, and with the same draught of water, 26 feet 1½ inches, and it was found necessary to lighten her in one or two points, in order to counteract the weight of her armament. When the fresh calculation was resorted to, her displacement was now found to be, not 9,062 tons, but 9,090 tons. She was now to carry in coals 1,600 tons. Her weights were to be:—Armament, shot, equipment, including warrant officers' stores, 766 tons; engines, stores, and coals, 2,596 tons; hull, armour turrets, and a tower, 5,510 tons—making a total of 8,872 tons. This left 218 tons square displacement. In January, 1871, the Committee of Designs was appointed. He objected at the time to that Committee, and since he had seen it in operation that objection was confirmed. One of his reasons was that whereas the First Lord recommended that this new type of ship should be constructed without delay, she was most cruelly delayed, and the *Fury* was still more delayed. So that the *Devastation*, having been laid down in 1869, and it being now 1873, she had scarcely yet commenced her trials. The ship and the calulations upon which she was designed were laid before the Committee of Designs, and approved by the chief members of the Council of Construction, and Sir Spencer Robinson then Controller of the Navy. On overhauling the drawings, however, of the *Devastation*, an increase of free-board was recommended, which would also add to the accommodation of the officers. The Admiralty approved of the superstructure being carried out. It was said that it was desirable to give increased accommodation to the officers, but that it was not necessary for the safety of the ship. This increased superstructure was calculated to weigh 100 tons, but in effect it weighed 130 tons; and this naturally increased the weights to be carried, leaving only a displacement of 18 tons. Her supposed present state was:—Armament, equipment, &c., 328·7 tons; engine stores, &c., 1,600 tons; coals, 2,683·9 tons; weight of hull, armour, turret, and tower, 6,085·2 tons—making a total of 9,597 tons. This was an increase of 527 tons, with an immersion of over 14½ inches. What had happened to the *Devastation* since she left the Committee of Designs was the question he wished to put to the right hon. Gentleman. That very day the Naval Architect or Chief Constructor of the Navy had admitted that he had agreed to submerge the bows of the *Devastation* deeper by 7½ inches than her original design. And if it were true that there was any possible danger of the kind alluded to in the opening speech of the First Lord of the Admiralty the other night, it seemed to him that apart from the great danger of having the vessel so submerged that her armour-plate was under the water, the danger, whatever it might be, of being submerged was not relieved by bringing her down 7½ inches. He was far from saying that the information which had reached him with respect to the *Devastation* was correct; but he was told—he hoped it would not prove to be the fact—that there was a great increase in the weights to be carried by the ship. His argument was, of course, based upon the assumption that the Admiralty had not consented to alter that upon which alone the ship could rely for safety, or could be trusted to carry out the special duty or service for which she was designed, and by reason of which alone she was sanctioned by the House. Her coal-carrying capacity was 1,600 tons when her weights were tested in 1869, in 1870, and when she was considered by the Committee of Design in 1871. He had heard a rumour that her weight was now to amount to 9,597 tons, which would be an increase of 527 tons on the weight before the Committee. He hoped the right hon. Gentleman would be able confidently to contradict that rumour, and to state further that the Admiralty had not consented to do that which, in his opinion, they ought not to have contemplated—namely, to reduce the weight-carrying power of the ship. It had been stated—and it was stated at the meeting held that day, and therefore he was not dealing with anonymous rumours—that the *Devastation* would go to her trial with a mean draught of 26 feet 5 inches, and that her coal-carrying capacity would be reduced 300 tons below the amount for which she was sanctioned. If that were the case, while he did not wish to blame anyone who had been the means of bringing about such a state of things, he could not but think, with a painful example of what a dreadful disaster might occur through shortness of coal-carrying power, that a great blow had been struck at her design, and that her power and usefulness would be greatly lessened. In 1869 the right hon. Gentleman the Member for Pontefract (Mr. Childers) said that the steaming power of the *Devastation* would be as follows:—10 days' steaming at 12 knots, 18 days' steaming at 10 knots, and 25 to 35 days, at a low rate of speed. But with only 1,300 tons of coal this would become 7½ days' steaming at 12 knots, 14½ days, at 10 knots, and 18 to 24 days, at a low rate of speed. He hoped the right hon. Gentleman would give him credit for bringing this question forward with no spirit of hostility to himself, the Constructive Department of the Admiralty, or the designer of the ship. His object was simply to elicit from the right hon. Gentleman a statement as to whether the rumours to which he had referred were facts or fictions. Certain alterations had, as was stated at the meeting that day, been made in the original design of the ship, such as the bringing of her head down by 7½ inches. If, however, the right hon. Gentleman was in a position to say that such was not the case, and that the ship was able to carry 1,600 tons of coal, he, for one, should heartily congratulate him and the naval service of the country. He should do more. Although he did not consider himself very specially endowed with physical power, or an excess of bravery, he should ask the right hon. Gentleman to use his good offices with his gallant friend Captain Hewett, to allow him to join the Controller of the Navy on the trial trip of the *Devastation*. The right hon. Gentleman stated the other night that the ship would make a very valuable addition to our Navy. No doubt she would, because she was most powerfully armoured and carried the heaviest guns afloat. But she would also be an unnecessarily costly addition to the Navy. The remark of the right hon. Gentleman would have applied as well to the *Hotspur*, the *Glatton*, or any of the new gunboats. He hoped to hear from the right hon. Gentleman whether the *Devastation* was capable of performing the special service for which she was designed, and for which alone she was sanctioned by the House; what her present weight and coal-carrying power were; whether she could cross the Atlantic or proceed to the Cape of Good Hope—in short, whether she could carry our war flag over distant seas. If he were assured that she could, he should be extremely pleased, and feel that he had performed a public duty in allaying popular alarm and satisfying the country as to the merits of Her Majesty's ship *Devastation*.

Sir JAMES ELPHINSTONE observed that the First Lord of the Admiralty had, on the first night the Navy Estimates were discussed, promised the Committee that they should have ample opportunity of discussing the naval policy of the country. On that occasion the right hon. Gentleman made a long statement, and one which showed an amount of memory and knowledge acquired during a very short time which was very creditable to him, but as a sailor that exposition carried no conviction to his (Sir James Elphinstone's) mind. It was a long and weary apology for the shortcomings of Her Majesty's Government—a statement made for the purpose of returning entirely to the *status quo*, but beyond that it developed no naval policy, and left no impression on his mind that the Government had any naval policy to propound. They had agreed to two Votes—one for the wages and the other for the victualling of the seamen of the Fleet, and he regretted that the subjects discussed were passed over with such very slight notice as they had received. The right hon. Gentleman (Mr. Goschen) said that he was going to reduce the *personnel* of the Navy by 500 boys; but he made no allusion to the great questions affecting the position of our seamen. They had in the naval service a body of men who had never been excelled in point of character or efficiency during the whole period of the naval supremacy of this country; but there was one fact in reference to the men which deserved more than a passing allusion—he referred to the prevalence of crime in the Navy. He found that out of the number of men borne on the books of the Navy no fewer than 1,700 men had been subjected to penal punishment, principally arising from leave-breaking. The offence of leave-breaking arose from causes which might be easily remedied if our ships were made more the homes of the men than they were at present. Very frequently during the 16 years he had sat in that House he had urged on the Government the necessity of establishing naval barracks; but he nevertheless found that the crew of the *Devastation* were at this moment quartered in a hulk, while the Marines of the Fleet were lodged in most magnificent barracks. How could they expect properly to maintain discipline in the Navy if the men were subjected to the privations and degradation of living in a miserable manner on board a hulk? The question of naval barracks had for some time been under the serious consideration of the Commander in Chief of the Navy and some of the best officers of the service, as well as the establishment of canteens on board Her Majesty's ships on Home stations and in harbours. It had also been recommended that receiving ships for men under penal discipline should be established as a better means of reclaiming them from the bad habits they had contracted, and at the same time continuing them under naval discipline The system of canteens in Her Majesty's ships on the Home stations and in harbour might be easily adopted, and under it the men would be enabled to procure those small luxuries and comforts which would endear their ships to them, and make them consider them homes instead of prisons. He might mention how this subject of canteens had been dealt with in particular instances, and with what result. In the Coastguard ship at Liverpool the amount of crime for leave-breaking had been very considerable. The captain, one of the most judicious officers in the service, established a system on board by which his men were permitted to have a canteen placed in charge of the petty officers, and under the control of the captain. The men were allowed to have a pint of beer a-piece in the course of every evening, and the consequence was, that when they found they could obtain the comfort which any common labourer could procure in the public-house, leave-breaking came entirely to an end. Moreover, the small profit that resulted from the sale of the articles consumed had been devoted to charitable purposes. The widow of a drowned shipmate had been relieved therefrom, and other acts of charity had been dispensed from a fund that was under the control and direction of the men. The saving of provisions realized a profit to the Government of £28,000, but it was nowhere to be found in the Navy Estimates. This involved a matter of great importance to the well-being of the Navy and the health of the men.

Mr. SAMUDA rose to Order, and asked the Speaker whether this subject could be discussed on the Motion before the House.

Mr. SPEAKER: The Question before the House is that I do now leave Chair in order that the House may go into Committee of Supply. The hon. and gallant Member is within his right in making the observations which he has just been submitting to the House.

Sir JAMES ELPHINSTONE said, there was another point to which he wished to refer, and that was the irregularity of the meals. In 1859 he served on the Naval Commission, and brought before it, as strongly as he could, the fact that the diet of their seamen was such as they would not subject any man or beast in their possession to; and he carried the views of the Commissioners with him. A man to be in a proper condition for work ought to be fed every five hours. At present they had a breakfast at 8 o'clock, consisting of cocoa and biscuits; dinner, with meat, at 12; cocoa and biscuit again at 5 o'clock p.m.; and from that hour till 8 o'clock next morning no food entered the mouth of the

British seaman. When he was in the service the men always got a good supper. This was a matter which ought to enter into the arrangements of the Admiralty. They had established a University at Greenwich which was not likely to fare much better in the long run than the proposed University at Dublin. In appropriating the funds of Greenwich Hospital the rights and interests of those to whom the funds of the charity ought to have been devoted had been overlooked.

Mr. SPEAKER said, the remarks now made by the hon. and gallant Baronet would be more in Order if he reserved them until the occasion when the Vote connected with Greenwich Hospital was about to be considered in Committee.

Sir JAMES ELPHINSTONE observed that an engagement had been entered into by the First Lord of the Admiralty that on the second Vote general questions connected with the naval policy of the country might be discussed, and if hon. Members were not able to do so on the present occasion it would be impossible to discuss that policy.

Sir JOHN HAY said, the understanding was that in Committee on the second Vote a general discussion should be taken, and he thought it would be more convenient to enter into the matter to which his hon. and gallant Friend was referring when that Vote came before the Committee.

Sir JAMES ELPHINSTONE said, he should confine his remarks to the *Devastation.* He submitted that she was totally incapable of a sea voyage. He came to this conclusion after a personal inspection of her, and was confirmed in it by the opinion of competent men. She might be useful as an addition to the Navy for harbour defence, but she ought never to go beyond the limits of any harbour, and if she did so he should not like to be responsible for the result. This was one of the most audacious experiments in hydro-dynamics which had ever been attempted. The stern being open she would be quite helpless in the trough of the sea, and nothing short of a miracle would save her from overwhelming. He would defer any further observations which he had to make until the time when the understanding which had been referred to could be carried out.

Mr. SAMUDA observed that the question before the House was not one involving the goodness of the *Devastation* herself. The complaint was as to the changes which had been made in the original design. It appeared to him that these had all gone in increasing the seaworthy qualities of the ship. When the vessel was originally proposed she appeared to him to be likely to possess the qualities which he had been seeking to obtain, and to induce the Admiralty to adopt. But it also appeared to him that there were certain deficiencies, which he took the liberty of pointing out. He supported the proposal to build the *Devastation* because he believed it was a step in the right direction so far as regarded the carrying of the armament. He knew the additional buoyancy she would need could be added, and it was added; so that the disquiet in the public mind resulting from the loss of the *Captain* was removed. Still he could not regard the *Devastation* as the ship of the future. Every step that had been taken by the Admiralty in this matter had been in the right direction, and he only regretted that they had not thought fit to go further, for he considered that a great error had been committed in not dealing with the stern of the vessel in the same way as they had treated the bows, and in not continuing the superstructure right fore and aft. Speaking from his own experience, and on a matter of every-day observation, he must say that he did not think that there was the slightest ground of apprehension as to her buoyancy even under the most adverse circumstances; and he regarded the apprehensions of the hon. and gallant Baronet opposite (Sir James Elphinstone), with reference to that vessel as being without foundation.

Mr. G, BENTINCK said, that the hon. Member who had just sat down had stated that the building of the *Devastation* was a step in the right direction, but he wanted to know what the right direction was, and for what purpose this vessel had been built. Everyone must admit that the *Devastation* could not be regarded as a sea-going ship. Without going into all the reasons which showed that she could not be regarded as a sea-going ship, and without alleging that she could not live in bad weather, he maintained that she could not be employed as an ordinary sea-going cruiser. On the other hand, if she was to be employed for home defence, much more useful vessels, drawing far less water, might have been built for half her cost. He trusted that as the *Devastation* was unfit for a seagoing cruiser, and on account of her draught of water was equally unfit for home defence, the House would hear from the First Lord of the Admiralty that he did not intend to persevere in building experimental ships of this character. He was not in the habit of charging the Admiralty with extravagance—if was his fate, on the contrary, to blame them generally for mistaken parsimony—but he could not help characterizing the building of this vessel, which was useless for foreign service or home defence, as a wasteful expenditure of public money.

Admiral EGERTON said, that argument of the hon. Member opposite would condemn not only the *Devastation* but also all the iron-clads which they at present possessed.

Mr. G. BENTINCK said, he condemned all those of our iron-clads which could not be handled under canvas.

Admiral EGERTON said, that none of our iron-clads could be handled under canvas with the same freedom as our wooden vessels were, and, in fact, it could scarcely be said of any of them that they were navigable under canvas. He entirely agreed with the hon. Member that the *Devastation* could not be regarded as a sea-going cruiser, because she would require to burn coals all the time she was at sea, which would render it impossible for her to cruise for any length of time without going into port to re-coal. As he understood the design of the *Devastation* when it was proposed, she was intended to cross the Atlantic if necessary, and, having fought a battle, to return to this country or to some other port, where she could re-coal, but she was not intended to keep the sea as a cruiser. In his opinion she would prove an efficient ship, and capable of realizing the objects for which she was constructed. He hoped that the time would come when we could revert to our unarmoured ships, but until then he thought the Admiralty were wise in building ships of this character.

Mr. GOSCHEN said he was much obliged to his hon. and gallant Friend behind him (Admiral Egerton) for the few words he had just uttered in regard to the *Devastation*. The hon. Member for West Norfolk (Mr. Bentinck) was rather in the habit of thinking that all naval opinion was on his side, and that the Admiralty was proceeding in the face of all naval authority. Now, speaking on behalf of the Board of Admiralty, he (Mr. Goschen) would inform him that he was surrounded by naval officers of the highest ability and experience, whose advice he felt bound to take on those matters. He was fortified by those opinions in saying he believed that the *Devastation* would answer all the expectations respecting her. No ship had ever been submitted to a more searching investigation than the *Devastation*. When, then, the hon. Gentleman said that she would never answer as a seagoing ship, he could tell him that his opinion was completely opposed to the opinions of the most eminent naval officers who had been consulted by the Admiralty. He was glad, therefore, that his hon. and gallant Friend (Admiral Egerton) had protested against the use of such language. The other day the hon Member for West Norfolk asked whether the Admiralty had ever considered the power of guns in piercing armour-plates. Why, from day to day they thought of hardly anything else. The hon. Member constantly taunted the Admiralty with a want of knowledge of such subjects as this; but he (Mr. Goschen) was bound to say in all courtesy that the hon. Gentleman was wholly ignorant of the way in which those questions were treated by the Naval Department of the Government. The hon. Member asked with what intention this ship had been designed. It was a fair question, and he knew no better mode of answering it than by reading a paper from the pen of Sir Spencer Robinson, which was in the hands of Members—

"The first object to be aimed at in a ship of war is the power of destroying the enemy. Modern naval warfare shows that there are two distinct powers of destruction in fleets or ships, the power of artillery and the power of impact; the latter abundantly difficult to use, but fearfully efficacious; the former easier to handle, but not so instantaneous in its effects. For neither of these purposes is excessive speed continued for many days a first or necessary condition; on the contrary, high speed continued for several days necessitates the use of forms and the appropriation of weights which, in the first case, are unfavourable to manœuvring; and, in the second case, limit the power of artillery; the former rendering almost unavailable the tremendous power lodged in the ship herself, and developed by impact, the latter giving at once in battle the superiority to the more heavily-armed ship. No great naval battle will be fought at very high speeds. Two fleets meeting each other, however anxious both sides may be to fight it out, will find it necessary to keep together and manœuvre with precision; this will not be done at extreme speeds. The great maritime Powers with whom alone we should enter on a contest for life and death would be France and Russia. A war with America would be of so different a nature that the Navy required for for that purpose is altogether a thing apart; but if we have to contend for great national purposes with either France or Russia the contest must be in European waters; the Channel, the Mediteranean, or the Baltic will be the scenes of strifes fearful to contemplate. It is for us of vital importance to come triumphant out of such a contest. We shall neither need extreme speed, nor the power of steaming for many days in succession at a high rate, to insure a victory. What we shall want, above all things, is the means of carrying and defending a formidable artillery, combined with the greatest facility in making use of the power of impact. To these two requirements all others must be subordinate; in their perfection they will hardly be found in the same ship, but whether these two destructive forces are in one and the same ship or not, a large amount of defence is necessary to enable any use at all to be made of either offensive power. English ships' sides must be difficult to penetrate; engines and boilers must be protected from the explosion of shells; magazines must have some security, if in an artillery combat with France or Russia we are to contend at least on equal terms. If their ships carry heavy armour, so must ours, and that position is, I conceive, irrefutable, though we may admit that no perfect protection against even the guns carried at sea can, in all cases, be had. And if that position is true as to an artillery fight, it is even more true of the other great means by which naval actions will be decided, namely, the impact of one ship against another. The ship that intends to give that deadly blow must be so defended by shot-resisting sides and decks, as to bear with comparative impunity much pounding from heavy guns before she finds an opportunity of delivering her fatal and final thrust. Heavy guns (and the *Devastation* is armed with 35-ton guns), thick armour (her armour is 12-inches thick), great handiness (and the *Devastation* can turn with the greatest ease)—are the first qualities for ships that have to fight in fleets. When those are secured, add the greatest speed that can be obtained, coal enough to provide for the necessities of warfare in the Channel, Mediterranean, or Baltic, such sea-going qualities as will enable operations in these seas to be performed with safety, good arrangements for officers and men, and as little sail power as is consistent with the use to be made of a fleet in time of peace. This, in my opinion, is the kind of fleet without which England could not hope to fight a naval action with success, without which a maritime war with a Great Power would be our destruction; and it this fleet whose numbers, I think, it is our bounden duty to complete, before undertaking vessels of another type, valuable as they may be, or desirable as it may be to have them as soon as our more imperious wants are satisfied."

Lord HENRY LENNOX asked whether these remarks referred to the *Devastation* type of vessel?

Mr. GOSCHEN said, he would read on—

"I therefore urge as strongly as I can that the type of ship necessary for fleet fighting be taken up as the one most required; that our new constructions may be of the nature of the *Glatton* or *Hotspur*."

[Lord Henry Lennox: Hear, hear!] And this was the paper on which Sir Spencer Robinson recommended the building of the *Devastation*. Did the noble Lord dispute that proposition?

Lord HENRY LENNOX said, he could not dispute it, not having the paper before him; but his impression was that the paper referred to masted and rigged ships; otherwise, why the reference to "as little sail power as" possible?

Mr. GOSCHEN said, that nevertheless the noble Lord cried "Hear, hear" when he mentioned the *Glatton* and the *Hotspur*, which had neither. He had read this extract to show that the *Devastation* was meant for fleet fighting—to fight the great naval battles of the future. Such a ship must have sufficient coal-carrying and sea-going qualities to fight in the Baltic, the Mediterranean, the North Sea, and the Channel; and, though this was not stated in the Minute, she must also be able to cross the Atlantic in safety, and fight an action on that side of the water if necessary. He said distinctly that if the sea-going qualities of the *Devastation* should turn out a failure, the *Devastation* herself would be a failure; and he acknowledged that if she were simply a ship for coast defence, we could build cheaper ships, and ships better adapted to that purpose. It was, however, as sea-going fighting ships that the Admiralty attached importance to vessels of the *Devastation* type; they were not to prey upon the enemy's commerce, because ships of another type would be used for that purpose; they were to cope at sea with the fighting ships of other Powers. He would now address himself to the speech of the noble Lord the Member for Chichester—a speech of great moderation, and which put the case very plainly. He was glad the noble Lord did not introduce the question of personal responsibility, upon which so much had been said. The original designers were relieved from responsibility on account of the changes which had been made in the ship; but, as had been stated elsewhere, the responsibility rested with those who sent the ship to sea, and with the naval architects who advised that she was a ship which might be sent to sea. He was glad to think that these personal discussions might now be looked upon as ended. His right hon. Friend (Mr. Childers) was subjected to much attack in his absence, having no opportunity of replying, but they might now assume that such charges would not be repeated. The noble Lord fairly said that the main point raised by the changes in the *Devastation* was her coal-carrying power; and he asked whether the ship would be further immersed, and would carry less coal than she was designed to carry. As the final calculations were not yet made, he could not tell to within 50 or 100 tons how the weights would turn out; but before the Committee of Designs sat certain increases had already been made in the weight of the ship. Her armaments had been raised from four 25-ton to four 35-ton guns, increasing her weight by 157 tons. There was also an increase of 155 tons through the thickening of the armour deck; the little iron mast that was added weighed 20 tons; the conning tower was added, weighing 97 tons; and the engine would weigh 35 tons more than was expected, though this was a matter over which the Admiralty had no control. The Committee of Designs recommended some further changes. The design for the superstructure was placed before them in January, 1871, and this added 133 tons to the weight. The Committee recommended an important addition—bulkheads of thick armour to protect the "vitals" of the ship from a raking fire fore and aft; and the naval and scientific men upon the Committee stated that the fighting efficiency of the ship would be enormously increased by such a protection. These bulkheads represented a further addition of 134 tons. It was resolved further to subdivide the compartments at the bow, in order to give additional buoyancy in case that part of the ship were struck, and the additional iron plating there increased the weight by 13 tons. The thickening of the deck-plates was to protect the magazines and the ship generally from the explosion of shells. Her fighting powers had accordingly been greatly increased, and the noble Lord asked at what sacrifice had those fighting powers been increased? The noble Lord asked, in the first place, whether they had been increased at the expense of the sea-going qualities of the ship. Now, her sea-going qualities had not been sacrificed, but had been improved. He wished to lay particular stress on that point. If those additional weights had been put into the ship without any difference in her form, they would have raised the centre of gravity; but while the centre of gravity had been raised by those additional weights, the superstructure had had a counterbalancing and more than counter-balancing influence in increasing the range of stability of the ship; and the consequence had been that notwithstanding that increased weight, the angle of stability had been increased from 44, at which it stood in the original design, to 56. It had been stated that night that the Committee of Designs were satisfied with 43; but in their last Report they said they would prefer 50, and 56 had been given in the case of the *Devastation.* The noble Lord next alluded to what he called the surplus of displacement; but the noble Lord used that term in one sense, and the hon. Member for the Tower Hamlets (Mr. Samuda) used it in another. The noble Lord, in speaking of the surplus of displacement, meant simply whether she would float lower than her designed line of draught or not. The hon. Member for the Tower Hamlets spoke of it as displacement above water. [Mr. SAMUDA: I meant surplus buoyancy.] He wished rather for the sake of the public to correct the noble Lord, and to point out what the surplus of displacement really was. By the various changes that had been made additional weights had been put into the ship, which could not be calculated to a ton, but they ranged between 400 and 500 tons. That was the additional weight after increasing her stability, increasing the comfort of the men, and, above all, increasing her fighting qualities. How were they to deal with that extra 400 or 500 tons? Was the ship to be immersed so much more, or was her coal supply to be reduced, or was she to be partly immersed some few inches more, and partly to have her supply of coal reduced?

Now, one most gratifying circumstance had come to their aid in that respect, because at the same time that they had increased the fighting powers of the ship they had been able to reduce her coal-carrying capacity without diminishing materially the distance she could go; and for this reason. Fortunately, the machinery, the engines, and boilers of the ship had turned out to be so successful that with 1,400 tons of coal on board they could steam a longer distance than they could have done with the 1,600 tons which they originally estimated. Therefore 200 tons could be removed without in the least interfering with the distance which she could proceed. Mr. Reed made a calculation which was submitted to Lord Lauderdale's Committee. He showed that with 1,600 tons of coal on board, the *Devastation* could steam 5,600 miles at six knots speed, 4,320 miles at ten knots, and 2,880 miles at 12 knots. The results of the latest trials showed that they could steam with 1,400 tons of coal 6,650 miles at six knots, 4,580 miles at 10 knots, and 2,890 miles at 12 knots. So that the *Devastation*, with 200 tons less coal-carrying capacity—if they decided in that direction — could go a longer distance than she had been estimated to go, and those 200 tons could be removed from the ship. But, further, her coal might be reduced to 1,200 tons, and she could still steam 5,700 miles at six knots, or 100 knots more than she was estimated to go with 1,600 tons. They had secured greater stability, greater safety for the men, and infinitely better protection against fore and aft raking fire. They had carried out further improvements in the ship, thickened the armour decks, and they were also able to go a greater distance with a smaller quantity of coal than she was estimated to go with a larger quantity. He would point out that supposing the ship was immersed six inches more, 200 tons would represent about that amount of additional immersion. Moreover, those 200 tons of coal would be consumed in the very first days of the *Devastation* proceeding to sea; and it should never be forgotten that the deeper immersion would occur only during the first days of proceeding to sea. His case, therefore, in reply to the noble Lord was very simple. They had secured additional fighting power for the ship, they had in consequence increased the weights; but they were able to relieve those weights by diminishing the supply of coal which she would carry, and that without reducing the distance she could go. But, more than that, the constructors believed that it would be no damage to the ship if she was immersed those few additional inches. They would make trials at various draught lines, they would see at what draught line she was safest, and regulate her accordingly. The constructors believed that, besides those improvements in the ship, they would have the advantage of greater engine power, and that she would be able to carry from 1,500 to 1,600 tons of coal without at all imperilling her. It ought to be understood, both in the House and out of doors, that it was not a question of safety, but of the amount of coal which the *Devastation* could carry. He could not conclude better than by again quoting the words of Sir Spencer Robinson, who said—

> "Extend, therefore, the turret and the ram system as much as possible on moderate dimensions, make such vessels truly formidable fighting ships, sacrificing to some extent the showy and attractive qualities of excessive speed and large coal power for superior fighting powers."

The Admiralty did not think that they had sacrificed the fighting power, because the *Devastation* would have such powers of fighting as no ship had had before.

SIR JOHN HAY said, there were two questions which fairly came within the purview of that debate, namely, whether the *Devastation* now produced was the *Devastation* that was designed; and whether the *Devastation* was a type of ship which it was desirable to reproduce. He had concurred with his lamented friend (Mr. Corry) in thinking the expenditure upon the *Devastation* was not justified; that for coast defence the ship was too large and drew too much water; while for sea-going purposes a ship of that character was not what the country required. Having, however, been built, it was very desirable to ascertain whether she was such a vessel as the designer had intended. As to her coal-carrying capacity, he thought the right hon. Gentleman (Mr. Goschen) had not satisfied the House that the ship was what she was intended to be. The right hon. Gentleman had given them evidence that she would be considerably beyond her draught, that draught being excessive as it was, if the whole of the coal was put in her. What the right hon. Gentleman had stated about the power of her engines might be very creditable to her engine-makers; but it would not convince those who had considered the question that the result of the changes made in her had not altered that which she was originally designed to be. No doubt in building an ironclad ship everything must be in the nature of a compromise; it was impossible to have an ironclad ship perfect in every particular; something must be sacrificed to obtain benefit in another direction. But a seagoing man-of-war ought to have two qualities; she should be seaworthy, and she should also be able to keep the sea. These two things were different. Seaworthiness depended upon an adequate proportion and just distribution of the weight, and also upon good workmanship and material, which last were always obtained, whether in the dockyards or private yards. To keep the sea required sufficient and healthy accommodation for the crew, inexhaustible means of conducting the ship, which pointed to sails, and sufficient space for armament and accessories. He thought that the *Devastation* and her sister ships were not complete in these particulars, and he objected to further expenditure upon this kind of ship until full experiment had been made. Another qualification necessary was great speed with handiness, enabling a ship to choose the time for attack, to chase and overtake the enemy, and to escape from a superior force. As the supreme effort would be made under steam, there must be some sacrifice of sail for the sake of the greatest velocity under steam. The draught should also be as light as possible consistent with other qualifications, and though the *Devastation* had been spoken of for service in the Baltic, a vessel of her draught could not approach any of the great Russian fortifications. The draught of the Suez Canal should be considered, for to a maritime country which might be engaged in hostilities in the East or in the West, it was important to avoid the circuit of Africa. Other places where men-of-war might have to act were nearly identical, such as the River St. Lawrence. As to armour, a sea-going and seaworthy ship could only be protected in certain places, for though 10 years ago it could be entirely clothed above the water line with armour sufficient to resist the artillery then existing, the rough rule being an inch additional armour for every 1,000 tons, ironplate had now to be as thick as the diameter of the gun fired against it. There being guns 16 inches in diameter, 16 inch plates were necessary to resist them, but nobody would think of building a 16,000 ton vessel with 16 inch plates. Moreover, the ram and torpedo were more dangerous than shot and shell, and it was impossible to clothe a vessel below water with armour sufficient to resist these. It must, therefore, be considered what parts should be protected. He had had the honour of knowing Admiral Tegethoff, the distinguished commander who had fought the only great battle in which ramming and turret ships had taken part, and he justified the the unfortunate position of his antagonist Admiral Persano's low free-board turret ship by saying it was so unmanageable in the sea then on that its Admiral could not take the part he was anxious for. Admiral Tegethoff had a wooden ship slightly protected with armour, and it sank a vessel with 600 or 700 hands by striking it amidships with its ram. The greatest damage was sustained by vessels with armour just thick enough to detain the shells, causing explosions in places where they should not have happened. The result of that action ought to teach us that there was no advantage in having unmasted, unseaworthy turret ships, especially now that we could not coat the whole of the ship with armour. The magazine ought first to be protected, then the motive power, then, as far as possible, the steering apparatus, then the machinery of the gun, and lastly, the bottom of the ship must be protected from the ram and the torpedo by cellular construction, or by some other contrivance. He thought that they must give up attempting to protect the men at the guns, and that they had much better let the shot go through those parts of the ship that were not essential. It was because the *Devastation* had very few of the necessary qualities that he had opposed its construction, and he should object to any further expenditure on such vessels until the *Thunderer* and the *Devastation* had proved better than he expected. As to coal-carrying capacity, the latitude and longitude in which a vessel might be required could not be fixed. When the *Devastation* had consumed half of her coal she would have to come back for a supply of coal. Therefore, only half of her power could be used for offensive purposes; the other half would be required to bring her back. Nothing could be more annoying to a naval officer who went to sea with such a ship, than to find that instead of proceeding to fight the enemy he must go back for more coal. For this reason, all men-of-war must be in the nature of a compromise, but the compromise by which sails were sacrificed entirely was a mistaken one. To make vessels drawing so large an amount of water dependent upon one motive power was bad policy, and, holding that opinion, he should oppose any increase in the number of these ships.

Mr. G. BENTINCK said the First Lord of the Admiralty was mistaken in supposing that he had asked whether the right hon. Gentleman had considered the question of ships and guns. He had referred to armour plate *versus* guns.

Lord HENRY LENNOX said, that the right hon. Gentleman took him up rather sharply because he cheered when the *Hotspur* and the *Glatton* were mentioned. The explanation of his cheer was this—the *Hotspur* and the *Glatton* were intended for the Mediterranean; whereas the *Devastation* was intended for the Atlantic, the West Indies, and the Cape of Good Hope. He wished to know if the *Devastation* was to carry 1,400 and not 1,600 tons of coal, what the draught would be at 1,400 tons of coal?

Mr. GOSCHEN said, he had already informed the noble Lord that the Admiralty had not got the final calculations. He had stated that, with 1,400 tons of coals, she could go further than if she carried 1,600 tons of coals, and that she would be tried under various conditions, and her supply of coal would be limited accordingly.

Lord HENRY SCOTT, who had given Notice that he would call attention to the Report of the Committee of Designs on Ships of War, asked the First Lord of the Admiralty whether he should bring forward that subject now or defer it till the Dockyard Vote came before the Committee of Supply?

Mr. GOSCHEN said, he thought it would be far better to postpone the subject until the Dockyard Vote came on.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Supply—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a sum, not exceeding £1,035,719, be granted to Her Majesty, to defray the Expense of Victuals and Clothing for Seamen and Marines, which will come in course of payment during the year ending on the 31st day of March 1874."

Mr. GOSCHEN observed that some hon. Members might wish to have a lengthy discussion on this Vote, and as other Business had to be disposed of that evening, he thought the best course would be at once to move that the Chairman do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Goschen.*)

In reply to Mr. Rylands,

Mr. GOSCHEN said, he would bring forward the Navy Estimates again whenever he had an opportunity of doing so.

Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow.*

RAILWAY AND CANAL TRAFFIC BILL [BILL 34.]

(*Mr. Chichester Fortescue, Mr. Childers, Mr. Arthur Peel.*)

committee. [*Progress 31st March.*]

Amendment [*31st March*] again proposed, in page 9, line 17, to leave out from the words "They may, by themselves," to the words "inspection of which appears to them requisite," in line 20 (*Mr. Muntz*).

Question proposed, "that the words proposed to be left out stand part of the Clause."

Motion *negatived.*

Clause 21 (Powers of Commisssioners. See 34 & 35 Vict. c. 78. s. 7),

Mr. MUNTZ moved, in page 9, line 26, after "document," to insert "belonging to any Railway or Canal Company, or other public Company."

Mr. CHICHESTER FORTESCUE said, he could not accept the Amendment, as there would be two parties to every case brought before the Commissioners, and it ought to be in the power of the Commissioners to compel the production of documents on both sides. The proper course would be to define the documents to be called for as those which related to the matter before the Commissioners. He would therefore move in page 9, line 26, to leave out "which they consider important," and insert "relating to the matters before them."

Amendment (*Mr. Muntz*) by leave, *withdrawn.*

Amendment (*Mr. Chichester Fortescue*) *agreed to.*

Clause, as amended, *agreed to.*

Clause 22 (Orders of Commissioners).

Mr. CHICHESTER FORTESCUE moved in page 10, line 13, after "any of them," insert—

"The Commissioners may also, if they think fit, at the instance of any party to the proceedings before them, and upon such security being given by the appellant as the Commissioners may direct, state a case in writing for the opinion of any superior court upon any question which in the opinion of the Commissioners is a question of law.

"The court to which the case is transmitted shall hear and determine the question or questions of law arising thereon, and shall thereupon reverse, affirm, or amend the determination in respect of which the case has been stated, or remit the matter to the Commissioners with the opinion of the court thereon, or may make such other order in relation to the matter, and may make such order as to costs as to the court may seem fit, and all such orders shall be final and conclusive on all parties: Provided—That the Commissioners shall not be liable to any costs in respect or by reason of any such appeal.

"The operation of any order made by the Commissioners shall not be stayed pending the decision of any such appeal."

Mr. LEEMAN objected to the proposal, and suggested the insertion of words which would have the effect of making it imperative on the Commissioners to grant an appeal.

Mr. DENISON said, it was perfectly impossible for the Railway Companies to accept the Amendment of the right hon. Gentleman the President of the Board of Trade, and they were united and determined upon that point. Nobody knew who were to be the Commissioners, and he would not trust any three men in the kingdom with despotic powers of interpretation without any appeal unless they chose to grant it. He could not make any compromise in this matter, and Railway Companies would abnegate the duties which they owed to their shareholders if they permitted the Government to carry such clauses as this, and take their rights away from them.

Mr. CHILDERS said, that the language of the hon. Gentleman was somewhat strong, and he was afraid that if Railway Companies were to come to the House with more assumption, they might not get that amount of justice to which they were entitled. On the general question it must be remembered that the individual trader had to deal with powerful Companies, holding very long purses, and that unnecessary liberty of appeal might thus place the trader practically at the mercy of the carrier. He thought, on the part of the Government, that there was a great deal in the suggestion of his hon. Friend the Member for South-West Lancashire (Mr. Cross), but they would ask the Committee to pass the clause in the shape in which it was now proposed, undertaking to consider that suggestion before the Report, and if possible to propose words in accordance with it.

Mr. LEEMAN contended that the clause, by taking away the right of appeal, deprived the Companies of the right which belonged to every subject of this realm. ["No, no."] It was said that there was to be only a right of appeal if the tribunal should think fit. But the Chief Commissioner and another of the Commissioners were not to be lawyers, and while this was so there was to be no right of appeal from their decision, even on points of law. An appeal as a question of fact was not asked at all. He would appeal to the House on a matter of justice not to deprive Companies of a right of appeal.

Mr. OSBORNE MORGAN said, that the right of appeal which existed in the ordinary Courts should be permitted in the case of this new tribunal also.

Viscount BURY said, he thought the Railway Companies were not asking anything but justice in asking a right of appeal, especially in questions of pure law which were not complicated with matters of fact.

The SOLICITOR GENERAL remarked that there were many cases where the right of appeal depended on the leave of the Court, and there was a very large number of cases in which no right of appeal existed at all. In very many instances the amount involved would be very small, and it would be very oppressive to give a right of appeal merely because one of the parties was a great and wealthy corporation. Again, in many cases the law was perfectly well settled. There was no occasion for distrusting the proposed tribunal so far as to suppose that it would prevent the opinion of a Court of Law being taken on any question, the decision of which might be requisite for the future guidance of the tribunal itself. The question of the necessity of appeal might fairly be left to the lawyer who would be one of the Commissioners.

Mr. STEPHEN CAVE agreed that the Solicitor General had stated the case very fairly, but his statement went against the Bill altogether. For his own part, he strongly objected both to the Bill and the tribunal under it. He believed the tribunal proposed would either meddle too much, and become intolerable, or be useless, and do nothing at all. The Court of Common Pleas might have been continued to act as the tribunal, if it were strengthened by assessors appointed to assist in its decisions. If, however, the new tribunal was to decide these matters, it should be made as strong as possible, which it would not be if there should be given a power of appeal to a Superior Court in all cases.

Mr. CHICHESTER FORTESCUE said, that the Government were of opinion that there was a great deal in the suggestion of the hon. Member for South-West Lancashire (Mr. Cross), and without binding themselves to any particular words, they would introduce a provision which would make an appeal absolute in those cases in which the Commissioners were not unanimous.

Amendment amended and *agreed to.*

Clause, as amended, *agreed to.*

Clause 23 (Sittings of Commissioners).

Mr. CHICHESTER FORTESCUE moved in page 10, after line 21, to insert—

"Provided that if it appears to the President of the Board of Trade for the time being that it is expedient in the public interest that the Commissioners, or any of them, shall sit at any particular place for the discharge of any of their duties, it shall be lawful for him to give directions to that effect in writing, and the Commissioners shall act accordingly."

Mr. W. H. SMITH asked what was the object of this Proviso?

Mr. CHICHESTER FORTESCUE said, the Proviso was proposed in the public interest. It might be of great advantage that causes should be heard out of London, and if the Commissioners were disinclined to take that course he proposed to give the Board of Trade power to direct them to do so.

Mr. DILLWYN said, the right hon. Gentleman seemed to have less confidence in the Commissioners than the Railway Companies.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 24 (Power of Commissioners to make general orders).

Mr. ASSHETON CROSS moved, in page 10, line 22, after "may," insert "with the approval of the Lord Chancellor."

Amendment *agreed to.*

Mr. CHICHESTER FORTESCUE moved, in page 10, line 24, after "them," insert

"Including applications for and the stating of cases for appeal; also for enabling the Commissioners in cases to be specified in such general orders to exercise their jurisdiction by any one or two of their number: Provided, That any person aggrieved by any decision or order made in any case so specified, may require a rehearing by all the Commissioners."

Amendment *agreed to.*

Sir MICHAEL HICKS-BEACH, referring to the provision, which required certain rules to be placed before Parliament for the space of two months, expressed a hope that words would be inserted with a view of preventing difficulties similar to those which had arisen in the case of schemes proposed by the Endowed School Commissioners.

Mr. F. S. POWELL suggested that the words "one month" should be omitted from the clause, and "two months" inserted.

Mr. CHICHESTER FORTESCUE said, he would consider the question.

Clause, as amended, *agreed to.*

Clause 25 to 32, inclusive, *agreed to.*

Clause 33 (Duration of office and powers of Commissioners).

Mr. STEPHEN CAVE asked how it would be possible to get men at a salary of £3,000 a-year to undertake these duties if their appointment was only for five years. It would be better not to limit the duration of the Commission, leaving Parliament free to deal with the matter. This showed the impolicy of a doubtful experiment. He did not object to a high salary, because he thought public servants were generally underpaid, but he did not like pensions, and Commissioners had a tendency to become pensioners.

MR. CHICHESTER FORTESCUE said, he had believed that he was acting in conformity with the feeling of the House. This was more or less an experiment, and he had thought it unadvisable to make the Act permanent and give the Commissioners a perpetual lease of office. He had no particular affection for the term of five years; but he still believed that the House would prefer to retain that term in the Bill.

MR. ASSHETON CROSS said, he should like to know what sort of men the right hon. Gentleman expected to get for five years, and what he meant to do with them at the end of that time. Was the lawyer-member to go back to his profession, and did the right hon. Gentleman expect to get the right sort of railway-member for £3,000 a-year, if at the end of that time he was to be turned adrift?

MR. RATHBONE agreed that it would be more desirable to give salaries of £5,000 than £3,000. The success of this Bill would very much depend on the way it was worked. If the Commissioners made their offices useless or pernicious, they must take the consequences. If, on the contrary, they did their duty well, it was most likely their appointments would be permanent.

SIR HENRY SELWIN-IBBETSON said, he thought that few good men would give up a position for another of only three years.

MR. WOODS said, the Committee could not do better than accept the proposition of the Government. The statement made by the President of the Board of Trade led to the inference that able men were ready to accept the office, one being a barrister of 14 years' standing.

MR. GREGORY observed that it would be impossible if the duration of the Commission was only for five years that they could re-place any Member who happened to die at the end of three or four years.

MR. RYLANDS said, he was in favour of the clause, which, as it stood, would relieve the country from all claim to compensation in case the Bill should not prove a success.

MR. STEPHEN CAVE said, that the Committee were in this difficulty. If they made permanent appointments they might, of course, be called upon for compensation if they abolished the Commission; if they made the appointments for five years only, they ran the risk of not getting the best men. The Government would have to choose between two evils, and he wished them joy of the choice.

MR. MUNTZ said, he was at a loss to know who would accept the duties. A barrister of 14 years' standing with anything like talent and energy would make more money by his profession than the salary proposed to be given.

MR. MONK said, the tribunal should be such as would command the confidence of the public. The Committee ought to adopt the suggestion of the hon. Member for South-West Lancashire (Mr. Cross).

MR. CHICHESTER FORTESCUE said, there would be no difficulty in finding competent men. It was not salary alone that guided men in accepting offices of this kind, but positions of credit and importance.

MR. STEPHEN CAVE suggested that perhaps the appointments were already made.

Motion made, and Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 133; Noes 29: Majority 104.

Clause, as amended, *agreed to.*

MR. CHICHESTER FORTESCUE moved a new clause giving the Board of Trade power from time to time to appoint not more than two Assistant Commissioners.

New Clause (Duties of Assistant Commissioner,)—(*Mr. Chichester Fortescue,*) —*brought up*, and read the first time.

SIR MICHAEL HICKS BEACH said, he thought it would be far better to empower the Commissioners, with the sanction of the Treasury, to appoint the Assistant Commissioners, and at the proper time he would move to leave out the words "Board of Trade," and insert the word "Commissioners."

MR. HEYGATE said, he would take the sense of the Committee upon the proposed clause.

Mr. PEASE looked upon the Assistant Commissioners as a very important part of the whole system, inasmuch as it would be impossible for the Commissioners to perform the whole of the duties.

Mr. CHICHESTER FORTESCUE said, he had not the slightest wish to retain the patronage of the appointments in question in the hands of the Board of Trade, and should be very willing that the Assistant Commissioners should be appointed by the Commissioners with the approval of the Treasury; but he would consider before the Report the best mode of appointing them. He would also propose the insertion in the clause of words permitting the Assistant Commissioners to undertake arbitrations under the Act with the assent of both parties.

Question put, "That the Clause, as amended, be added to the Bill."

The Committee *divided*:—Ayes 126; Noes 27: Majority 99.

Clause, as amended, *agreed to*, and added to the Bill.

Mr. RATHBONE moved, after Clause 10, to insert the following clause:—(Provision for complaint by public authority in certain cases).

New Clause *brought up*, and read the first time.

Amendment proposed, to leave out the words "or by not less than ten inhabitant traders."—(*Mr. Childers.*)

Question put, "That the words 'or by not less than ten' stand part of the Clause."

The Committee *divided*: — Ayes 43; Noes 98: Majority 55.

Mr. GREGORY moved the following clause:—(Commissioners to report upon rates under Bills for amalgamation or traffic arrangements).

Mr. CHICHESTER FORTESCUE said, he thought it would be unwise to throw such functions — at all events, without further consideration — on the Commissioners.

Clause *negatived.*

Mr. GREGORY moved the following clause:—(Power to Commissioners to fix terminal charges).

New Clause—(*Mr. Gregory,*)—*brought up*, and read the first time.

Mr. CHILDERS opposed the clause, on the ground that it was utterly alien to the general objects and scope of the Bill.

Question put, "That the Clause be read a second time."

The Committee *divided*: — Ayes 81; Noes 51: Majority 30.

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 121.]

UNIVERSITY TESTS (DUBLIN) (NO. 3) BILL.

Adjourned Debate on Question [2nd April], "That Mr. Speaker do now leave the Chair," for Committee to consider the abolition of Tests in Trinity College and the University of Dublin.

Question again proposed.

Debate *resumed.*

Question put, and *agreed to.*

Matter *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to abolish Tests in Trinity College and the University of Dublin.

Resolution *reported*: — Bill *ordered* to be brought in by Mr. Fawcett, Dr. Lyon Playfair, Mr. Plunket, and Viscount Crichton.

Bill *presented*, and read the first time. [Bill 124.]

GAS AND WATER PROVISIONAL ORDERS BILL.

On Motion of Mr. Arthur Peel, Bill for confirming certain Provisional Orders made by the Board of Trade under "The Gas and Waterworks Facilities Act, 1870," relating to Abersychan Gas, Ilford Gas, Leominster Gas, Oakengates and St. George's Gas, Redditch Gas, Canterbury Water, Caterham Water, Denbigh Water, Maidstone Water, and Weston super Mare Water, *ordered* to be brought in by Mr. Arthur Peel and Mr. Chichester Fortescue.

Bill *presented*, and read the first time. [Bill 126.]

House adjourned at Three o'clock.

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HOUSE OF LORDS,

Friday, 4th *April*, 1873.

MINUTES.] — Select Committee — Improvement of Land, *nominated.*

Public Bills — *Second Reading* — Marine Mutiny*.

Royal Assent—Turks and Caicos Islands [36 *Vict.* c. 6]; Income Tax Assessment [36 *Vict.* c. 8]; Endowed Schools Address [36 *Vict.* c. 7].

BASTARDY LAWS AMENDMENT BILL.

(*The Earl of Shaftesbury.*)

Commons' Amendments *considered.*

On the Order of the Day for considering Commons' Amendments to Lords' Amendments and Commons' Reasons for disagreeing to some of the Amendments made by the Lords.

THE MARQUESS OF SALISBURY said, their Lordships would recollect that when this Bill came up from the Commons it was found that there were several blunders in it, and also that much intricacy and confusion were created by the reference which the Bill contained to Acts of Parliament some of which had been repealed. Their Lordships not only removed the blunders, but simplified the bastardy laws by making the Bill one of consolidation. In that state the Bill went down to the Commons. It appeared now that the Commons accepted the removal of the blunders, but refused to accept the consolidation. He understood that this refusal was at the instance of the Local Government Board, and that it was based on the allegation that the Board itself intended at some future day to bring in a Consolidation Bill. He must say that he thought there was much inconvenience in the practice of the Government allowing subjects of this kind to be dealt with in Bills brought in by private Members. The Government ought to take the full responsibility of such Bills; and in that case Parliament would have some security that they were properly drawn. The Government said consolidation on the subject was necessary, and when they got a consolidated Bill they refused to accept it. Under the system of passing partial measures while waiting for consolidation, there was a complete entanglement of legislation. Numerous were the subjects awaiting consolidation. They had been promised a consolidation of the licensing laws; now they were promised a consolidation of the bastardy laws, and for the last 20 years they had been waiting in hope for a consolidation of the merchant shipping laws; but while they were waiting the Consolidation Bills still remained in the pigeon-holes of the various Departments. Each imperfect Act added to the perplexity. He protested against the Government giving its weight, authority, and influence in favour of piecemeal legislation.

THE EARL OF KIMBERLEY said, he did not understand what the noble Marquess would have the Government do. Were they to say that there was to be no legislation on any subject until they could have a general consolidation of all the law relating to that subject?—because, if that were so, all legislation would have to be suspended for a considerable time. The case of the Merchant Shipping Acts was an example of the exceeding difficulty attending this kind of legislation. A consolidation of the laws relating to this subject had been under consideration for some years, and he would ask, ought Parliament to defer dealing with the evils to which Mr. Plimsoll had called attention until a consolidation of those Acts could be effected? If they did so, how many lives might be lost in the meantime! He quite concurred with the noble Marquess that consolidation was desirable—against that proposition he had not a word to say; but though it sounded exceedingly well to say, "We must have a Consolidation Bill" on all occasions when it was proposed to remedy pressing evils, the thing was impracticable. The Government could scarcely be held responsible for this Bill. It had been introduced in the other House by an hon. Member who did not usually support them; but he had yet to learn that it was the duty of the Government to prevent the introduction of Bills by private Members. He thought it was desirable in many cases that legislation should be set on foot by private Members. The merits or demerits of this particular Bill he was not competent to discuss; but if the noble Marquess, with all his ability, had not been able to avoid some of the extraordinary slips which occurred in the Amendments, how difficult must it not be to draw a Bill in such a manner as that its phraseology was not open to objection.

LORD CAIRNS said, it appeared to him that the noble Earl who had just spoken had completely missed the point raised by the noble Marquess (the Marquess of Salisbury). The noble Earl had spoken as if the noble Marquess had laid down the proposition that all legislation should be suspended till there was a measure of consolidation dealing with the subject on which it was proposed to legislate. Now, what his noble Friend stated was this—that a Bill had come up to that House dealing with certain portions of an Act of last year—that Bill was not only amended in their Lordships' House, but turned into one of consolidation—consolidating as it did those portions of the Act of last year which it was proposed to retain with the other provisions which would apply to bastardy cases if the Bill passed. That consolidation was rejected in the other House on the ground that at a future day a general measure of consolidation would be introduced by the Local Government Board. His noble Friend complained of this, saying that it would be better to have one statute which should contain the required changes, and all that was necessary to be retained of the Bill of last year, rather than have two statutes—that of last year and the one it was now proposed to pass.

Lord REDESDALE said, their Lordships had now before them not only the Bill as it had left their Lordship's House, but the Lords' Amendments and the Commons' Amendments and the Commons' Reasons for disagreeing from the Lords. It was difficult to find out what the shape was in which the Bill was now supposed to stand. If they were to go on to consider it as amended, they ought to have it reprinted; but what he would suggest was this—let their Lordships send their Bill back to the Commons again and say they preferred one Act to two Acts. When pains were taken in this House to make a Bill perfect the Commons objected to it because it was perfect.

The Earl of SHAFTESBURY said, that having been intrusted with the charge of the Bill in their Lordships' House, he desired to see it as perfect as possible; but as, owing to the flaw in the existing law, a great many poor women were suffering serious wrong, he would ask their Lordships not to endanger the passing of an amending Act by holding out on any point of form.

The LORD CHANCELLOR said, that even though he might not agree with the other House as to the point of form, he should regard it as a great evil if a necessary amendment in the law were defeated by any differences between the two Houses on a question of consolidation.

The Marquess of SALISBURY said, he was inclined to take the same view as that put forward by his noble Friend (the Earl of Shaftesbury) and his noble and learned Friend on the Woolsack. He believed the Bill had been much improved by making it a Consolidation Bill, and he thought he could show the noble Earl (the Earl of Kimberley) that there were not the slips in the clauses which he seemed to suppose; but rather than that the flaw in the Act of last year should not be made good, he would give up the point of consolidation.

Commons' Amendments and Reasons *considered* accordingly.

Debate arising, the further debate adjourned to *Monday* the 21*st instant;* and Bill, with Amendments, to be *printed.* (No. 63.)

House adjourned at a quarter before Six o'clock, to Monday the 21st instant, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 4*th April*, 1873.

FRANCE—PASSPORTS.—QUESTION.

Sir DAVID WEDDERBURN asked the Under Secretary of State for Foreign Affairs, Whether his attention has been directed to the practice of demanding passports with visas from British subjects embarking for France on French steamers at certain ports in the Mediterranean; and, whether any representations have been made to the French Government as to the inconvenience thereby entailed upon British subjects, who are accustomed to consider themselves as exempt from passport regulations when travelling through France?

Viscount ENFIELD: Sir, the attention of the Foreign Office has been directed to the practice alluded to by the hon. Baronet, and Lord Lyons was instructed to call the attention of the French Government to the inconvenience to which English travellers were thus stated to be subjected. It appears from a Despatch received in reply from Her Majesty's Ambassador at Paris that Lord Lyons had already been in communication with the French Government upon the subject; and on this occasion the French Minister for Foreign Affairs stated that he had reminded the Directors of the Messageries Maritimes of the facilities accorded to English travellers in the matter of passports, and that they had been requested to give directions in order that English travellers should neither be required to produce passports on disembarking at French ports nor on taking tickets for their passage.

ARMY—TROOP HORSES (INDIA.) QUESTION.

Sir CHARLES WINGFIELD asked the Under Secretary of State for India, Whether it is true, as has been stated on high authority, that a troop horse bred in the Government studs in India costs the State £205; what are the intentions of the Government with respect to the maintenance of these studs; and, whether he can lay any Papers before the House which will give any information as to their condition and management?

Mr. GRANT DUFF: I am unable, Sir, to reply categorically to my hon. Friend's first Question, but the cost is certainly great, and greater than is desirable. In reply to his second Question, I have to say that the whole subject of the studs is under consideration. In reply to his third Question, I have to say that there will be no objection to produce the Correspondence if he will move for it after it is complete.

SLAVE TRADE AT ZANZIBAR. QUESTION.

Sir CHARLES WINGFIELD asked the Under Secretary of State for Foreign Affairs, with reference to a statement which appeared in "The Times" newspaper, in a letter from Zanzibar of February 18th last, to the effect that many Arab slave dhows carry the French flag, not because the dhows or their cargoes are French, but because the French flag prevents their being searched by British cruisers, Whether any official Communications have been received from Sir Bartle Frere on the subject; and, if so, whether any representations have been made to the French Government?

Viscount ENFIELD: Sir, it is quite true that many Arab dhows carry the French flag, neither the owners, vessels, nor cargoes being French, and Her Majesty's Ambassador at Paris has on several occasions been instructed to make representations to the French Government on the subject of the facilities thus afforded to native vessels for procuring French papers, which facilities are abused for Slave Trade purposes. British cruisers have no right to search French vessels; all they can do is to verify their nationality by demanding to see their papers. I believe that the new Commander of the French Naval Forces on the East African station received special instructions not to allow native vessels to obtain French papers or assume the French flag for the purposes of the Slave Trade. No special representation on this subject has been received from Sir Bartle Frere.

POST OFFICE SAVINGS-BANK ACCOUNT.—QUESTION.

Mr. W. H. SMITH asked the Postmaster General, If the amount due to the National Debt Commissioners up to the 31st March 1873 on the Post Office Savings Bank Account has been paid over by the Post Office to the Commissioners?

Mr. MONSELL: Sir, the estimated amount due to the National Debt Commissioners up to the 31st of March, 1873—that being the last day of the quarter—on Post Office Savings-Banks accounts was £430,000, and it has all been paid.

JURIES (IRELAND) ACT, 1871—NOMINATION OF THE COMMITTEE.—QUESTION.

Mr. CALLAN asked the Chief Secretary for Ireland, Whether he is aware or has heard that any Member nominated on the Select Committee on Juries (Ireland) Act, 1871, had been previously requested to consent to serve on such Committee by the Lord Chancellor of Ireland; whether he is aware or has heard that any Member of the said Committee was, previously to his nomination thereon, asked by the Lord Chancellor of Ireland whether, in the event of his being nominated, he would consent to act or serve on said Committee; and, if the statement of the Lord Chancellor's interference is well founded, will he take steps to prevent the recurrence of it in future? He begged to add that if he had been aware of the facts previously to the Committee being named he would have objected to it.

The Marquess of HARTINGTON in reply, said, that he was not aware whether the Lord Chancellor of Ireland had acted in the manner stated or not, nor had he thought it necessary to make any inquiry. The Lord Chancellor of Ireland being a Member of the Government, and being particularly responsible for the administration of justice in Ireland, and being also the author of the Juries (Ireland) Act, had naturally taken a very great interest in the discussions which had been held in this House on the Act, and he had himself consulted the Lord Chancellor of Ireland on the constitution of the Committee which had been appointed to inquire into the operation of the Act. He thought it extremely probable that the Lord Chancellor of Ireland had acted in the manner supposed; but, with great submission to the right hon. Gentleman in the Chair and to the House, he begged to say he was not aware that the Lord Chancellor of Ireland had acted in any way improperly in so doing.

THE MERCANTILE MARINE—THE STRAITS OF MAGELLAN.—QUESTION.

Mr. **MUNTZ** asked the First Lord of the Admiralty, If it has been brought to his notice that another steamer the "Kenilworth," has struck on a sunken rock not noted in the Admiralty Charts, in the Straits of Magellan, and that this is the third steamer which has had similar mishap in the last twelve months; and, whether it would not be desirable, considering that these dangerous Straits are now the highway for steamers to the west coast of South America, to have a thorough re-survey of them and the entrances as early as possible?

Mr. **GOSCHEN**: The only knowledge, Sir, we have of the *Kenilworth* having struck on a sunken rock in the Straits of Magellan is from a statement to that effect in a newspaper; but whether the rock was shown on the chart, or whether the Admiralty chart was in use we have no knowledge. We have no report of any other merchant vessels having struck in the Straits of Magellan during the time specified. The Straits of Magellan have been surveyed within a very recent period in anticipation of the increased traffic through them, and it is believed that all the dangers which exist are shown in the charts, although it may be possible that there are still some undiscovered. The most perfect charts will not always prevent accidents.

SUEZ CANAL — AUGMENTATION OF DUES.—PERSONAL EXPLANATION.

Mr. **BAILLIE COCHRANE** said, he wished to be allowed to make a personal explanation. In the debate on the Suez Canal the other night he stated that the case of the litigation between the Messageries Maritimes and the Suez Canal Company was a matter of private arrangement, and had for its object to put the authority over the Suez Canal into the hands of the French Courts. The representative of the Messageries Maritimes begged him to say that this was not the fact, and that the litigation going on between the Companies was a *bonâ fide* litigation carried on in the most genuine manner. He was sorry if he had made any misrepresentation of the fact; but the correction did not affect his argument, which was that the proceedings ought to have been carried on in an Egyptian Court.

SUPPLY.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

COMMUNICATION WITH INDIA—EUPHRATES VALLEY RAILWAY.

RESOLUTION.

Sir **GEORGE JENKINSON** rose to move—

> "That, in the opinion of this House, the evidence laid before the Select Committee on the Euphrates Valley Railway last Session demonstrates the great advantages, both politically and commercially, that would accrue to England by the acquisition of an alternative route to and from India, especially in case of any emergency arising, and that this object would be best secured by a Railway which would connect the Mediterranean with the head of the Persian Gulf; and, therefore, the Recommendation of the Select Committee on this subject to Her Majesty's Government is well deserving of their serious attention, with a view to carrying it into effect."

The hon. Baronet said, that he had endeavoured to word his Motion in such a manner as would induce Government to accede to it. He was aware that the word "guarantee" was one of which Her Majesty's Government had great dread; and the Committee which investigated the subject were careful in wording their Report, not to commit either themselves or the Government to the responsibility of a guarantee. His Motion for the appointment of a Committee, which was made on June 23, 1871, was carried by a majority of 86 to 10; and that showed that there was even then a prevalent feeling in favour of the object for which he proposed the appointment of the Committee. But whatever feeling then existed as to the alternative route to India had been strengthened immeasurably by events which had lately happened. There could be no doubt that the Central Asian question was one which had greatly increased the importance of the proposal he had to make to the House. The great advantages of the proposed line commercially, politically, and strategically, had already been proved before the Select Committee, by the most complete and overwhelming evidence. The great difficulty in the way of the construction of the line was, that its cost would be such that the Turkish Government would not be able to make it themselves. He was expressing his own opinion, not that of the Committee, when he said that by means of a counter-guarantee, such as he had always advocated, he did not believe this country would incur any real responsibility. The question was on what terms they should give this counter-guarantee. They were at the present moment going to pay £3,250,000 for the Geneva Award, which would never be of the slightest advantage to this country. The Chancellor of the Exchequer had told them that this Award was simply to keep America in good humour, and that the New Rules would never be of the slightest benefit. [The CHANCELLOR of the EXCHEQUER: I never said so.] The right hon. Gentleman was so reported in his speech at Glasgow. [The CHANCELLOR of the EXCHEQUER: No.] At least he used words which led to that inference; but the counter-guarantee which he proposed would be of infinitely greater value to this country and to civilisation generally than the Geneva Award could ever be, by the acquisition of an alternative route to and from India, especially in case of any emergency arising. The Suez Canal had cost £16,000,000, and the highest estimate ever framed of the cost of this railway was from £8,000,000 to £10,000,000. His own opinion was, that if a proper gauge were adopted, the expenditure would fall much short of £10,000,000. They were not asked to guarantee the capital. The Turkish Government would borrow the money, and pay it into the Bank of England under certain conditions, one being that the money should be used for no other purpose but the construction of the railway. The Turkish Government would be liable for the interest of the loan, and the receipts of the railway, as well as certain other tributes, were to be devoted to that object. The counter-guarantee of this country would, therefore, never come into operation until the Turkish Government had failed to pay one sixpence of interest —until the railway failed to pay one sixpence of working expenses, and until all the contributions which were to be handed over to this country also failed. The only guarantee Turkey had from us was the loan of 1855, which was guaranteed by France and by England. The amount was £5,000,000, which was issued at 102⅝. The price remained the same now as when it was issued; and the loan had not cost this country sixpence. If we were to guarantee a loan to Turkey for the construction of this railway, he did not believe we should ever be called upon to pay a sixpence of interest. He wished to add that all which he had said was not embodied in the Resolution which he submitted to the House. All that he asked the Government to do was to resume the negociations with the Turkish Government, in order to see whether any measures could be concerted between the two Governments for securing this alternative route between this country and India. The navigation by us of the Suez Canal was exposed to a variety of risks. A Question had already been asked in this House as to the imposition of prohibitory tolls, which indicated at least the possibility that some day, at the instance of a hostile Power, our shipping might be excluded by such tolls. Last Tuesday the hon. Member for the Isle of Wight (Mr. B. Cochrane) had on the Paper a Question relative to the Suez Canal, and it then appeared that the control of the Canal was in the hands of the French Government, or of the French and the Egyptian Governments. The French Government held £12,000,000 out of the £16,000,000 of capital, and therefore possessed a power which might any day be used detrimentally to us. Another kind of danger was indicated—first, by the report that the *Serapis* went ashore in the Suez Canal, and again by a recent report that the navigation of the Canal had been obstructed by a sunken ship. Although it might not be the case that the navigation of the Suez Canal had ever yet been interrupted, although no ships might have been sunk, what he wanted the House to consider was this, that if all these things were possible—and the day might come when, either by a sunken ship, or by some unexpected complication, by some or all of these means, the navigation of that Canal might be completely stopped—what would be the condition of England with regard to this Canal if we had no other equally rapid route open to us? We should have to send troops and everything necessary for their safety—and it might be for the salvation of India—round the Cape. He asked the House whether such a position was one which a great country like this ought to be content to be placed in? At Kurrachee we had a beautiful harbour—Mr. Parks, the consulting engineer of the Company, reported five weeks ago that already £480,000 had been expended upon it—which was capacious enough for ships 400 feet long and drawing 25 feet of water, and which, inside and outside, compared very advantageously with that of Bombay. After the outlay we had incurred at Kurrachee, it would be a great mistake not to facilitate the opening of the route which would give us direct communication with that harbour. No one would deny that the advantages of the route, commercially, strategically, and politically, would be to us very great, and the only question could be how far they would be worth the outlay this country might be called upon to make. At the outside that had been estimated by Sir Henry Rawlinson and Sir Bartle Frere at £80,000 a-year. Some of our highest military authorities were greatly in favour of the establishment of this route as an alternative route, and it was as an alternative route he advocated it. If the two routes were maintained in their integrity, there would be work enough for both. If by accident or design the Suez Canal were closed to this country, we should be placed in a position we should very soon regret. The Suez Canal was a route which was in no way under our control. It was pointed out in a pamphlet which had been submitted to him that the Canal passed through territory over which we had no control; that it was in the hands of a French company; that we used it to a certain extent on sufferance; and that the keepers of the key had it in their power at any moment to bar the passage indirectly by increasing the tolls, or directly, from political motives, by closing the gates. He thought he had said enough to show the House the necessity of providing ourselves with an alternative route. The more we could save ourselves from the high pressure of physical rule in India, and the more we could induce the natives to be governed by moral rule, the greater would be our hold on them, and the greater would be in the end their civilization and their attachment to us. Nothing would so much add to our moral *prestige* with the natives of India, as the knowledge that England had at her command an alternative and even a more rapid route than the Suez Canal. The main objection which Governments in this country had previously entertained against the Euphrates Valley Railway was caused by the well-known opinions of the late Emperor Napoleon on the subject; but now that eminent man was dead, he hoped such narrow-minded views would be abandoned, and that it would be admitted the interests both of this country and India required the construction of an alternative route which would make us independent of all accidents which might deprive us of the only route now available to us. When he thought of such historic names as Lord Clive and Lord Wellesley, and the Marquess of Hastings and General Pollock, and Lord Gough and Lord Strathnairn, and Sir Henry Lawrence and Lord Lawrence, and when he thought of the triumphs and the results which had ensued from the exertions of such men, backed as they were by the great power of England, he did hope that the danger of wasting all these achievements for the want of an alternative and rapid route to India, might be averted—as even on the score of expense it would be bad policy to incur such a risk—and he did hope that he might make a successful appeal to the House in favour of the alternative route on which so much in future might depend. If we lost the present opportunity it might never recur. Events we little anticipated now might happen, and others might slip in and reap the benefits of the line now presented for our acceptance. This was a great Imperial and not in any sense a party question; and therefore he implored the House to regard it from an Imperial point of view. He hoped the House would not set the lives of our countrymen in India, and the interests of that great colonial Empire, against the comparatively small outlay which would be required. We ought to look to higher considerations than the mere outlay of money, and he trusted hon. Members would not think he had taken undue advantage of their kindness by bringing this subject under their notice. Indeed, he was sanguine enough to believe that Her Majesty's Government would not oppose the Motion, which he had worded with great care, but that they would acknowledge the correctness of what he had stated. The hon. Baronet concluded by moving his Resolution.

GENERAL SIR **GEORGE BALFOUR**, in seconding the Motion, said, he could not have done so a year ago, simply because the public mind was not then prepared to received the proposition which the hon. Baronet the Member for North Wilts (Sir George Jenkinson) had submitted to the consideration of the House. The project was not a new one, having 15 years ago been brought to the attention of Lord Palmerston by a most influential deputation of able and intelligent gentlemen thoroughly well acquainted with the requirements of the East. The project was first planned by the late General Chesney, and after having surveyed the route, he continued up to the last day of his life to favour it. The project was, however, studied, developed, and kept before the public by Mr. Andrew, who with the characteristic energy and perseverance which had enabled him to do so much in India by urging on railways, repeatedly urged on Lord Palmerston the importance of a line of railway through Mesopotamia to a port on the Persian Gulf. In an interview with Lord Palmerston in 1857, Mr. Andrew strongly represented that the great object was to connect England with the north-west frontier of India by a line through the Euphrates Valley, from the Persian Gulf to Kurrachee, and thence by the Indus, whereby we should be enabled to move re-inforcements with ease and certainty to the entrance of the Bolan or Khyber Passes leading to Affghanistan and Kelat. He (Sir George Balfour) seconded the Motion of the hon. Baronet on the ground that we were bound to defend India at any cost, and urged the House to accept the Resolution on grounds of economy. The facility of moving troops from one point to another enabled a small force to act with effect; and looking to the impossibility of England maintaining armies at all approaching in strength to the hosts of the continental armies, it was highly advisable, in a military as well as an economical point of view, to increase to the utmost the power of moving a small and efficient army with promptness and effect. Events were ripening fast in Central Asia, which in the present year, or the year following, might alarm people in this country, and lead to great augmentations of our armies, and necessarily to largely increased military expenditure. As men of business we ought to prepare beforehand, and the only course we could pursue was to increase, to multiply, the facilities for concentrating troops at those points which might be threatened by the enemy. The expenditure on the Affghan War would have paid for a railway in the Euphrates Valley and up the Valley of the Indus. If these lines had then been in existence, the Affghan calamities could never have fallen upon us. It was of great importance that we should be able to put forth the might of England when the necessity arose. In his opinion the hon. Baronet had very clearly made out the necessity for an alternative route to India. If, during the war with Russia, we had been able to transport troops by this proposed railway, through Mesopotamia, or even if we had had steamers on the Tigris and Euphrates, we could have moved troops from India up these rivers, so as to have combined with the Turkish troops, and have driven Russia out of the whole of the countries conquered from Persia. This project was indeed mooted in India, and there could be no doubt that the European troops withdrawn from India for the war in the Crimea, and the men kept wanting to complete the force in India, would have supplied about 7,000 European troops. These, aided by a selected force of the Indian native troops, would have formed an efficient army to act with the Turkish troops, of whose fitness for soldiers the late General Prim spoke in the highest terms. There could therefore be no doubt that if we had had command of these communications, we could have thrown in troops to any extent, and not only would Kars never have fallen, but Russia would have suffered great reverses. The mere alarm of Omar Pasha's advance, and the rumour of the intended movement of the Turkish Contingent sufficed to make the Russian General raise the siege of Kars, and though only for a few days, the interval was sufficient to enable the garrison to obtain supplies. And the knowledge that a force could be promptly sent from India would have had an effect most disastrous to the power of Russia. Too much importance could not therefore be attached to the results that would follow on our having the power of sending an Asiatic army which would have roused the population of a country by which Russia was greatly feared, whilst we inspired confidence wherever we went. Again, if during the Indian Mutiny, we had had this railway communication down the Valley of the Euphrates and up the Indus Valley, we should have been spared many anxious days and nights when we were looking out whether the Punjaub was safe, or whether the whole of India was likely to rise up in rebellion against us, before we could pour in re-inforcements from home. He (Sir George Balfour) would also urge the necessity of making timely preparations for such events as the near approach of Russia to India might bring about. For instance, in the event of any complication in Europe, Russia might stir up the discontented spirits in and out of India. Russia, by her advances in Turkestan, and above all by the occupation of the Valley at the mouth of the Attrek, had so closely embraced Persia, that this country might at any time be constrained to advance either on India or to Mesopotamia. In the event of this dangerous combination, the line of communication through the Euphrates Valley would as Mr. Andrew represented to Lord Palmerston in 1857, enable us to threaten the flank and rear of any force advancing through Persia. There should therefore be no delay in securing another line of communication with India, independent of that through Egypt, so that when an emergency arose, we might meet it without apprehension, and with the conviction that we had in time of peace devised means of operating with effect, without entailing on India and England the burthen of maintaining great armies at vast expense.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the evidence laid before the Select Committee on the Euphrates Valley Railway last Session demonstrates the great advantages, both politically and commercially, that would accrue to England by the acquisition of an alternative route to and from India, especially in case of any emergency arising, and that this object would be best secured by a Railway which would connect the Mediterranean with the head of the Persian Gulf; and, therefore, the Recommendation of the Select Committee on this subject to Her Majesty's Government is well deserving of their serious attention, with a view to carrying it into effect,"—(*Sir George Jenkinson,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. DODSON observed that, if we looked only for the most direct cut from the Mediterranean to the Persian Gulf, the line on the right bank of the Euphrates no doubt supplied the easiest and cheapest of the various routes suggested. The country for engineering purposes was easy; but for 700 miles along the banks of the Euphrates there was scarcely a town worthy of the name. The country was barren, and, owing to the absence of tributary streams, no cultivation had ever been possible, except in a narrow strip along the bank of the river. The animosity of the wandering tribes which inhabited it was principally directed against the Turkish Government, and if they received a subsidy the chiefs of these tribes would protect the railway against injury, especially if they understood it to be an English concern. On the other hand, there was no local traffic, and it would be simply a military line, by which England might send troops to India on some extraordinary emergency. In ordinary times it would be merely a line for the conveyance of Indian mails or first-class passengers. The local traffic would consist principally of pilgrims on the way to the shrines of Kerbela and Meshed Ali, and of coffins.

We should not only have to create the line, but to create a population—we should have to civilize them, and introduce cultivation. When the subject was discussed in the House some years ago, he ventured to express an opinion that if a line were made at all we ought to follow the Tigris Valley, and the evidence given before the Committee had only confirmed him in that view. It would develop the resources, and strengthen the political independence not only of Turkey, but of Persia. Starting from the same point on the Mediterranean, it would pass through some populous towns, and a comparatively civilized country. Below Bagdad the difficulties would be about the same as on the Euphrates route. It would be, no doubt, a more expensive line to make, especially if it followed the left bank of the Tigris, because there would be rivers to cross, but the line would begin with some local traffic, and be, in some measure, self-supporting. It would be a longer line by 150 or 200 miles than the Euphrates route; but in a journey from England to India a matter of 10 or 15 hours would not be of such vital importance. It would be accessible to routes coming down from Persia, and would equally give us another route to India. He trusted, however, that the Government of this country would not be induced to take the initiative in this matter in any way whatever. If they did so they would find themselves committed to a guarantee or a subsidy, and what should we gain in return? The advantages of an alternative route had been spoken of; but neither the Euphrates nor the Tigris would be an alternative route in any true sense of the word. It would be a second route to India, through the Sultan's dominions, the use of which in time of war would equally with the Suez line depend upon our having the command of the sea. Colonel Chesney 38 years ago was sent out on an expedition to survey the Euphrates, in order to ascertain whether it was navigable, and whether steamers could ply upon it. We were then seeking to secure an alternative to the passage round the Cape. The Red Sea route had not then long been open, and it was doubted whether it would prove a permanent success. The idea then was that the Red Sea route would only be available for eight months in the year; and that the Euphrates might serve during the other four; but now the Suez route was available throughout the year, and we had not only a railway, but a canal through Egypt. We had thus got our alternative route to that by the Cape. He protested against our Government committing itself to any negotiations, the result of which would be to fling English money into Turkish bogs or Arabian quicksands. If it was pretended that a line could be made to pay, let a commercial company take it up; but from what he knew of the country, they need not trouble themselves to send him a prospectus. If the Turks wanted a line of railway, let them undertake to make it; and if they could show us any such advantages that it would be worth our while to assist them, let the Turks open negotiations and come to us with some proposal. It would then be for our Government to consider whether we could utilize the route for the purpose of forwarding the Indian mails; but, under the present circumstances, he strongly dissented from the recommendation of the Committee—that our Goverment should take the initiative; and he dissented still more from the Motion of the hon. Baronet (Sir George Jenkinson), which pointed to the Euphrates line—the least desirable route, in his opinion, to adopt.

Sir GEORGE JENKINSON said, he had not pointed to any line, but simply advised a communication.

Mr. BAILLIE COCHRANE said, he would support the Motion. Nearly every witness who attended before the Committee by whom this question was considered had expressed himself in favour of an alternative route to India. The right hon. Gentleman (Mr. Dodson) had referred to the Suez Canal; but Lord Palmerston made a great blunder with regard to the Suez Canal, and we ought to take warning from that. We did not consider the vast importance of that Canal; and, as he had stated last Tuesday night, unless we took some energetic steps, the Canal would be taken entirely into the hands of the French. Instead of taking energetic steps, we had given the French an opportunity of shutting up the Suez Canal whenever they pleased, and thus destroy that connecting link with India to which the right hon. Gentleman had referred. With regard to the Euphrates

Valley line, the highest authorities had insisted on the importance of having an alternative line, and Lord Stratford de Redcliffe, Lord Canning, and Lord Strathnairn had pointed out the necessity of the Euphrates line. The Turkish Government were most favourably disposed towards the project. The Chancellor of the Exchequer was not asked to make any advance of public money. The Turkish Government would advance the money upon our guarantee. When we considered the enormous importance it was to keep open our communications with India, he could not imagine that the Government would hesitate to take the subject into their consideration. We had recently heard a great deal about the progress of Russia in the East; but even supposing she did move down, if we had this alternative line we should have our communications safe from the Mediterranean Sea to the Persian Gulf, and should have nothing to fear from Russia. He therefore trusted the Chancellor of the Exchequer would not take the advice given him by the right hon. Gentleman (Mr. Dodson).

Sir CHARLES WINGFIELD said, he had the misfortune to differ from the rest of the Committee upon this subject, they thought this railway of so great importance that they recommended the cost should be provided by a British guarantee on the back of a Turkish loan. He, on the other hand, moved an Amendment to the effect that it was not advisable to incur any pecuniary liability for the construction of a railway in a foreign country. It might be assumed that the promoters of this undertaking had no faith in its financial results or they would not have held a Government guarantee indispensable to raise the money. The line would never be used for through traffic to India. For any receipts it must depend entirely on local traffic. No doubt more traffic could be picked up on the Tigris than on the Euphrates line; but all the accounts which had been received precluded the idea of any remunerative return until some extraordinary change should take place in the condition of the country. Our Consul at Aleppo, for instance, stated that two trains would suffice to carry the whole annual export and import trade of all the towns except Aleppo and Bagdad, and that one carriage would accommodate all the passengers. Other authorities spoke quite as decisively on this point. If the line were regarded merely as a means of relieving our troops in India, he did not believe that it would ever vie with the Canal. It was generally assumed that the troops could be conveyed through without stopping. That was not, however, the case; and, as Lord Sandhurst had shown, it would be necessary to have resting-places, as in India, every 250 miles. It was said that all the objections that had been urged to the construction of the line would disappear in the case of a great emergency arising, but on that point he would refer the House to the testimony of Lord Sandhurst, who totally dissented from that view, and held that the acceleration of the journey by 15 or 20 days was practically of no importance whatever. He (Sir Charles Wingfield) believed that if Kurrachee were adopted as a terminus instead of Bombay there might be a saving of two or three days; but he did not think that Kurrachee would be substituted for Bombay for military purposes. He regarded the Euphrates Valley line as inferior in every respect to the Canal route through Egypt, except in respect of the saving of two or three days, to which he attached little value. The only advantage it could possess was a second line of communication. That was a good thing, no doubt even though it be inferior to the existing line of communication, but it was not an advantage to attain which we ought to expend money. He therefore dissented entirely from the recommendation of the Select Committee, and must protest against this country or India incurring any pecuniary risk or liability whatever in the promotion of this undertaking.

Sir STAFFORD NORTHCOTE said, he thought it desirable that there should be no misunderstanding as to the real intentions and object of the Report of the Select Committee or as to the meaning of the Resolution of his hon. Friend (Sir George Jenkinson). The question of guarantee had been very distinctly put aside by his hon. Friend, who did not propose to ask the House to commit itself to any such principle. He did, however, by his Motion ask the House to affirm the recommendation of the Select Committee. He wished for a few moments to recall the attention of the

House to the circumstances under which the Committee was appointed two years ago. The question of establishing a route of some kind between England and India by way of Syria or Mesopotamia had been for many years under consideration—and that long before there was any idea of constructing the Suez Canal. It was deemed desirable that there should not only be communication by sea, but that a second line of communication by railway through Syria or Mesopotamia should be secured. Two years ago his hon. Friend the Member for North Wilts (Sir George Jenkinson) brought the subject under the consideration of the House, and moved for a Select Committee to inquire into it. At the same time a very important step was taken by the Government of India, who in a despatch to the Secretary of State, which was appended to the Report of the Committee, said that India had derived great advantages from the opening of the Suez Canal, and that, upon the whole, they desired to offer such encouragement as might be possible to the project for constructing a railway from either the Bosphorus or the Mediterranean to the Persian Gulf; but they added that they were opposed to the undertaking receiving pecuniary assistance from or becoming chargeable upon the resources of the Empire. At the time when that Select Committee was appointed such were the general views of the position of the question taken by the Government of India. The Government of this country agreed to the Inquiry, on the ground that the question was one of considerable importance, which had never been fully discussed, and as to which a good deal of information was required, and they wished to know whether the line was capable of being made, and whether it was likely to be remunerative. The Committee considered these questions, and agreed to a Report which was now in the hands of the House. In many senses the Report was not a final one. For example, the Committee thought that a line was advisable, but did not determine the particular line to be adopted—whether by the Euphrates route or the Tigris route—or the advantages of this or that point of departure. The Committee felt it was impossible to get sufficiently clear evidence on these questions without an actual survey. Upon the financial part of the question the Committee arrived at a tolerably clear conclusion—namely, that it was improbable that any private company would undertake to construct this line; and that the Turkish Government would hardly be disposed to give either any guarantee or any great facilities to a private company. At the same time, the Committee had reason to believe that the Turkish Government would be anxious to co-operate with Her Majesty's Government; but here the powers of the Committee failed them. They could not undertake a survey, nor could they call evidence in order to elicit the views of the Turkish Government. Some Correspondence was, indeed, laid before them which had passed between the Turkish Ambassador and his hon. Friend (Sir George Jenkinson). But the Committee would have exceeded their functions had they communicated with a Foreign Minister in order to ascertain what the Turkish Government were ready to do in this matter. The Committee, therefore, believing that the matter was worth pursuing, recommended that Her Majesty's Government should take it up, and that a joint survey should be made to determine upon the best route. If, they added, the enterprise were to be regarded as one simply affecting British interests, it would be wisest to adopt the shortest and most direct route by the Euphrates Valley; if the co-operation of the Turkish Government were desired, the Government might prefer the Tigris route, and any such preference would be a material point in determining the question. The Resolution now submitted expressed no preference for any particular route, and therefore did not pre-judge the question. It should be remembered that though no railway was in course of execution to connect the two seas, various plans were under consideration in the district, and the Committee had reason to believe that the Turkish Government were actually engaged in making lines for their own benefit, which would more or less occupy some portion of the ground to which our attention had been drawn. It was desirable to communicate with the Turkish Government on this subject, so that both Governments might co-operate for their mutual benefit. Another question was as to the progress made in lines promoted by other countries besides Turkey. We found, for instance, that the Russian lines were gradually being pushed to the frontiers of Turkey, and it was reported to be in contemplation to carry a line from Tiflis to the head of the Persian Gulf. Within the last few days there was a rumour of a scheme for connecting the Russian lines with Kurrachee; and we had been told of a concession made to Baron Reuter of a monopoly of railways and telegraphs in Persia. It was important that we should know the meaning of all this. Another matter which deserved attention was how far we could develop the railway systems of the East so as to give a fair opening for the commercial produce of Persia and Asia Minor in such a manner as to work in with our own commercial interests and prevent the giving of such a monopoly to Russia as she was inclined to secure if possible. These considerations added greatly to the importance of the whole subject. His hon. Friend (Mr. Baillie Cochrane) had warned us that commercial companies at the Suez Canal might seriously cripple our trade by imposing heavy tolls at the Suez Canal. It would be of great importance for us to have some alternative route, if it were merely for the sake of keeping the Suez route in order; and he hoped that the Government, even though they might not altogether approve of the Report of the Committee, or the Resolution, might put themselves into communication with the Turkish Government, in order to ascertain their views, and see how far it was possible for the two Governments to act together. There were various other modes besides that of a guarantee by which encouragement could be given by the Government for the making of a line. For instance, they might undertake to use the line for certain purposes, such as the carrying of our mails, or of a certain portion of our troops. But that was a matter on which there might be a difference of opinion. All that the hon. Baronet the Member for North Wilts and himself desired to pledge the House and the Government to, if this Motion were adopted was, that they should not put this matter aside in the rather curt manner in which he thought it was put aside when a Question was asked at the beginning of the Session; but that the Government should put themselves in communication with the Turkish Government or their Representative here, and ascertain what the feeling of that Government was, and in that way should give this matter a serious and careful consideration.

The CHANCELLOR of the EXCHEQUER said, there was one thing which the House should clearly understand, and that was the effect of the Motion for which they had been asked to vote. The hon. Baronet the Member for North Wilts (Sir George Jenkinson) very earnestly and the right hon. Gentleman opposite (Sir Stafford Northcote), he thought, with less confidence, had both endeavoured to persuade the House that the question of guarantee was not raised on this Motion at all. It was a matter of considerable importance that the House should attend to what the meaning of this Motion really was. The hon. Baronet summed up the result of the Motion in this way—

> "Therefore, the recommendations of the Select Committee on this subject to Her Majesty's Government were well worthy their serious attention with the view of carrying them into effect."

The hon. Baronet said the recommendations of the Select Committee, whatever they were, were well worthy the serious consideration of the Government with the view of carrying them into effect, and if the House adopted his Motion they recommended Her Majesty's Government to carry into effect the recommendations of the Committee, and those recommendations were ascertained by reference to the last paragraph of the Report. The Committee clearly pointed to incurring a pecuniary risk, for after speaking of several things they said they were of opinion—

> "That it would be worth the while of the English Government to make an effort to secure them, considering the moderate pecuniary risk which they would incur."

They further believed that this might

> "Best be done by opening communication with the Government of Turkey—in the sense indicated by the semi-official Correspondence to which they had already drawn attention."

What was the "semi-official Correspondence?" It appeared that the hon. Baronet the Member for North Wilts (Sir George Jenkinson) having no doubt a special commission to represent Her Majesty—for he could find no trace of such an authority in the Blue Book—entered into a Diplomatic correspondence with the Turkish Ambassador, and felt himself justified on behalf of the Government in submitting a proposal to the effect that the funds should be raised by means of an Ottoman Loan, interest at the rate of £4 per cent per annum, and £1 per cent Sinking Fund to be guaranteed by England. The hon. Baronet referred to the recommendations of the Committee. The recommendations of the Committee referred him (the Chancellor of the Exchequer) to the hon. Baronet, and that was what he had suggested, adding that it was accepted by the Turkish Minister. Therefore it was as plain as anything could possibly be, that if the House adopted the Motion of the hon. Baronet, the House and the Government would be pledged to the principle that a guarantee should be given for this railway. Here he might very well stop, because, as the Motion did not give effect to the intention avowed by its supporters, they had nothing to do but to withdraw it. He was not prepared, having no special knowledge of the subject, to argue the matter as to whether it was advisable that such a line should be made. He readily admitted that if some one else made the line it would be just as well, and probably better, to have an alternative line; but the arguments advanced on the point were most fallacious. The hon. Member for the Isle of Wight (Mr. Baillie Cochrane) said if a ship was sunk in the Suez Canal this line would give an alternative route; but was there no alternative route except by the Cape of Good Hope? He was of opinion that such an alternative route was afforded by the railway from Alexandria to Cairo, and from Cairo to Port Said on the Red Sea. Were we to suppose that some foreign Power would drive us out of Egypt, which was a country so favourable to the operations of a maritime nation? Or, was it assumed that we should be unable to maintain a way through the Desert? England could exist without India, but British India could not exist without England, and it would seem that if anybody was desirous to have this route it should be the Indian Government. But the Indian Government, with no objection to have it if somebody else would make it, declined to have anything to do with its construction, and it was proposed that England alone should bear the burden. Although we had guaranteed lines in our Colonies, we had never yet ventured to guarantee a line in a foreign country. Every possible objection that could be urged against a route had been asserted with regard to this line. Alexandretta was unhealthy, Bussorah was deadly, and Grane little less deadly. There was no irrigation; there were no settled inhabitants, but only predatory and nomad tribes; the heat was almost more insufferable than in any other place; it never had been inhabited, and never would be to the end of time. This was the kind of country through which we were asked to guarantee a railway. Turkey was interested in making the railway, and if she could ever afford to make it she would make it, no doubt; but she would not now advance money either with or without a guarantee, for the simple reason that she had not got it. As he had said, India had an interest in the line, but would not have it; and it was proposed that England, having comparatively a very slight interest, should entreat Turkey to accept a guarantee of £10,000,000, in order to make this railway. The hon. Member for the Isle of Wight said, quite pathetically, "Pray, do not let this golden opportunity slip, for it may never occur again." He (the Chancellor of the Exchequer) was under no apprehension, for he believed that if we were ever prepared to offer a guarantee of 10,000,000 of money we should not find any insuperable difficulty in getting Turkey to accept it. As the Motion pledged the House to force upon the Government a guarantee for this line, he hoped the House would not adopt it.

Mr. EASTWICK said, he wished to explain to the House certain circumstances which had completely altered the aspect of affairs since the Report of the Committee was made. But before doing so he would refer to the argument that we ought to have nothing to do with this scheme unless it would be a financial success. Were we to disregard everything but financial success? The Suez Canal was not a success, very much because the Government opposed it. It cost £16,000,000; but if the Government had taken it up in a different spirit it would not have cost more than two-thirds of that sum. Still, though the outlay was great, no one could dispute that the Canal was an immense advantage. With regard to the new circumstances which had occurred, he might mention that on the 25th of July last year His Majesty the Shah of Persia made a concession which was about the most remarkable concession which had ever been made by any foreign country. That concession gave to Baron de Reuter power to make all railways, tramways, or roadways throughout the country, and to work the valuable mines of Persia, which only required science to develop them; and also gave a guarantee of 7 per cent. Persia pledged the revenue of the country as security, and extended the guarantee over a period of 24 years from March, 1874. That was very remarkable, and showed great energy on the part of the Shah, who was evidently resolved to develop the resources of his country. Concessions from Oriental Governments, however, had not been uncommon, and, perhaps, the House might require proofs of the intention of the concessionnaire to keep to his bargain. These proofs were forthcoming—£40,000 had been paid into the Bank of England, an amount which would be forfeited if the materials for the line were not landed at Resht within 15 months. A staff of nine engineers, the best that could be selected, had already arrived at Tehrán, and would commence operations immediately, and two mining engineers of the highest ability were on their way to explore all the mines of Persia, and examine whether the wealth reputed to be contained in them really existed. The first line to be made would run from Resht, on the Caspian, to Tehrán, and thence to Isfahán. If it were asked why the railway should be commenced near the spot to which attention had been drawn by the operations of Russia, the reply was that it was impossible to land materials in Persia by any other route, except at a vast expense. But by this route there was water carriage, and he had crossed the Caspian in a steamer which had been sent out in pieces from England, had been put together in the Volga, and had then begun work on the Caspian. The British public might be re-assured also by the fact that this undertaking would be directed by a naturalized Englishman whose sympathies were entirely with England. Within a space of two or three years, then, there would be a line from the Caspian to Isfahán, which would afterwards no doubt pass down to the Persian Gulf. This fact changed the whole view of the matter, and rendered it a primary object to make a line which would give through communication with India overland. The heat of the proposed route, over which he had passed, had been much exaggerated by the Chancellor of the Exchequer, who had never been there. There would be the same route as before from the Mediterranean to Anah, but the line from thence to the head of the Persian Gulf, though no doubt it would be made, would become of secondary importance, and the line from Anah to Karáchí would be the most important. From Anah it would be carried 260 miles to Ták i Girah. Ták i Girah is on the Persian frontier and close to Khánikin, where the telegraph line runs from Tehrán to Baghdád. From Ták i Girah the railway would be carried to Karmánsháh, a flourishing city of 30,000 inhabitants, 60 miles. There it would pass over the only route by which both mountains and difficult and rapid streams could be avoided 400 miles to Shíráz. He had himself been at Karmánsháh, and had been informed of this locality, and it was the only possible through route to Karáchí; for that round the head of the Persian Gulf was impracticable, owing to swamps, rivers, and lofty mountains. At Shíráz, or perhaps earlier, the line from Alexandretta would form a junction with the line coming from Resht and Tehrán to the Persian Gulf; it would then be continued 300 miles to Bandar Abbás, and then 670 miles to Karáchí. Thus the total distance from the Mediterranean overland to Karáchí in India would be only 2,130 miles. That would imply an enormous saving of time. The journey from Dover to Brindisi took 10 days, and the route across to Kurrachee would occupy 114 hours, and it would not be necessary to break bulk. A great deal had been said as to Lord Sandhurst's objection that the soldiers would have to get out for rest and refreshment every 200 miles; but in refutation of such an idea he could refer to his hon. Colleague, who had travelled from Moscow to Odessa, a distance of 1,040 miles, without finding himself more tired than he was by a 3 o'clock sitting of the House. By adopting the Resolution they would be showing for the first time for many years a feeling of friendship towards Persia, to which he thought the country intervening between India and the great advancing Power of the North was entitled. Persia was doing all she could to enter into the position of a civilized nation. It had been the fashion hitherto to depreciate Persia on all hands. It was said her population since the famine had immensely decreased; some said it was 3,500,000, and others 4,000,000; and that the country must fall into the voracious mouth of Russia. He did not believe that; and was sure all those estimates of population were conjectural. However that might be, there was no race in the world more intellectual than the Persian, or more likely to make a figure again in the world as soon as it had been indoctrinated with European civilization. It was on these grounds he supported the Motion; and it was not, as the Chancellor of the Exchequer had said, a mere question of guarantee, but of whether the Government were to put this scheme aside, or to give it encouragement which would induce commercial men to support it. The possibility of the closing of the Suez Canal, too, must not be lost sight of. It might be closed either by accident or by the foolish policy of the Canal Company. He invited the House to support the Resolution, which did no more than declare this scheme to be worthy of the consideration of the Government.

Mr. MUNTZ said, if this Motion were adopted, the Government would be encouraged, if not obliged to give a guarantee for a railway in a foreign country—an act that had never yet been done, and he trusted never would. The question divided itself into two parts, the commercial and the military; and in order to obtain security for either purpose it was indispensable that they should have the control of the Mediterranean, in which case we could control the passage of the Suez Canal. In the statement made in the recommendation of the project no account had been taken of the time that would be lost in landing and unloading on the Syrian coast, and in re-embarking and re-loading at the southern terminus of the line. Were that matter gone into, he strongly suspected it would turn out that there would be a loss of time instead of a gain. He would remind the House that the description of the hon. Member for Penryn of the journey from Moscow to Odessa omitted the important fact that it was performed in sleeping carriages. Now, sleeping cars could scarcely be provided for soldiers, and he thought it would be somewhat cruel to expose them to the suffering which would be entailed by travelling 114 hours under the circumstances. It must also be borne in mind that in passing over a foreign country with troops it would be difficult to exercise a proper control over them, and he did not believe that Turkey would allow us to extend our Mutiny Act to her territory. He could not see any commercial or military advantage whatever in giving the guarantee for a sum which, it was said, would be only £10,000,000, but which was more likely to turn out £20,000,000. He should therefore certainly vote against the Resolution if it were pressed to a division.

Mr. BRAND said, he was a member of the Committee which sat on the subject, and that Committee, after a careful consideration of it, had recommended that a partial guarantee should be given. He could not acquiesce altogether in the interpretation which had been put by the Chancellor of the Exchequer upon their recommendations.

Question put.

The House *divided*:—Ayes 103; Noes 29: Majority 74.

Question again proposed, "That Mr. Speaker do now leave the Chair."

SPAIN—ASSAULT ON MR. HENRY DIEDRICH JENCKEN.

MOTION FOR AN ADDRESS.

Mr. Serjeant SIMON, in rising to call attention to the outrages committed upon Mr. H. D. Jencken, a British subject in Spain, and to move—

> "That an humble Address be presented to Her Majesty, praying Her Majesty to be graciously pleased to direct Her Principal Secretary of State for Foreign Affairs to enter into communication with the Spanish Government with the view to obtaining compensation for Mr. H. D. Jencken, on account of the injuries received by him at the hands of the populace at Lorca in 1869,"

said, Mr. Jencken, a member of the English Bar, went to Spain in 1869 professionally on behalf of a commercial company, to prosecute certain important suits involving British interests to a very large amount. These suits were, of course, instituted before the Spanish tribunals; and for this purpose Mr. Jencken had occasion to visit the town of Lorca, in the province of Murcia. While that gentleman was walking in the public gardens of Lorca an exclamation proceeded from a woman, in consequence of which a large mob set upon him and inflicted upon him the severest injuries. It appeared that in that part of Spain an extraordinary superstition was entertained by the common people that certain infamous persons went into the country for the purpose of kidnapping young children and putting them to death in order to obtain the fat of their bodies for the repair of the telegraph wires. Such a person was called "tio del sain," or fatmonger. It appeared that the description of Mr. Jencken had been promulgated in Lorca as being one of those persons, and the woman's exclamation, "tio del sain!" soon spreading, he was set upon by a mob armed with stones, daggers, knives, and other deadly weapons. He received 15 serious wounds, besides severe bruises and blows, on various parts of the body. Eight of the wounds were on the head and face; a dagger was thrust into his mouth, which broke his jawbone, and several wounds on the temples and back of the head penetrating to the bone. Some of those who joined in the outrages were officials who ought to have afforded him protection. He was dragged in a state of extreme suffering to the Town Hall, whence he was conveyed to a place where his wounds were dressed. A day or two after the Judge visited him to take his depositions against the guilty persons, it being supposed that he was in a dying condition. The Judge asked him whether he would take part in the prosecution of the rioters, at the same time advising him not to do so, because if he did the state of feeling in the town was such that Mr. Jencken's life would not be safe. Mr. Jencken said he did not care anything about the prosecution, and that he would appeal to the Government. He was confined to his bed for 30 days, and afterwards, while still suffering from his wounds, went to Madrid, where he visited Marshal Serrano, then at the head of the Spanish Government, and from whom he had received a friendly letter, expressing regret at the ill-treatment he had undergone, and offering to afford him redress. Mr. Jencken also left a statement of his case with our Ambassador at Madrid, in 1870, when he returned to England; it was likewise laid before Lord Clarendon, with a request that his Lordship would obtain from the Spanish Government compensation for the injuries he had sustained. There seemed to be some reason to suspect that the mob had been instigated in their attack by some of the persons against whom Mr. Jencken originally went to enforce legal claims at Lorca; and if so it was a most serious matter, for what English subject would go abroad to represent commercial interests and to prosecute legal claims against Spanish subjects, if reports were to be spread abroad which induced fanatical mobs to beat and wound them within an inch of their lives. The Vice Consul wrote to Mr. Turner, the British Consul, giving an account of the transaction, in which he mentioned the binding of Mr. Jencken's hands by two of the Volunteers of Liberty, and the part taken by the Alcalde of the suburbs—facts subsequently denied by the Spanish Minister. Thirteen of the 23 persons originally arrested were tried and convicted, the sentence, a copy of which was sent to Mr. Jencken, stating that no indemnity had been awarded on account of his having expressly renounced it. Lord Clarendon called on Mr. Jencken for an explanation of this statement, which appeared to preclude any claim to compensation, and Mr. Jencken informed Lord Clarendon that the alleged renunciation consisted in his (Mr. Jencken's) having, under the advice of the local authorities, declined to take part in the criminal prosecution, no intimation having been given him at the time that a civil remedy was attached to it. Lord Clarendon thereupon wrote to Mr. Layard to say that, having consulted the Law Advisers of the Crown, he thought he might under the circumstances submit the case to the Spanish Government, with the expression of a hope that compensation would be awarded to Mr. Jencken for his serious and unmerited sufferings. Thus the case stood at the time of Lord Clarendon's lamented death. Lord Granville, his successor, on being applied to, promised an investigation of the case, and Mr. Layard afterwards enclosed to him a letter from Senor Sagasta, Minister of the Interior, declining to grant compensation on the ground that Mr. Jencken had definitely renounced it. Senor Sagasta also denied that any Volunteers or "right-minded persons" took part in the assault; but this denial as to the

Volunteers was at variance with the Vice Consul's narrative. Thereupon Lord Granville, after consulting the Law Officers of the Crown, decided that the British Government would not be justified in pressing the claim further. Now, considering that the alleged renunciation was known to Lord Clarendon and the Law Officers, it was strange that two Foreign Ministers, acting on the same facts, and taking the same advice—the advice it would seem of the same Law Officers—should come to opposite conclusions. What was the renunciation worth of a man who could hardly articulate, and was indeed almost a dead man at the time? It was absurd to talk of recovering damages against a mere mob, who, as the papers showed, were too poor to pay even a small proportion of the costs of the prosecution. Had Mr. Jencken proceeded against them, of course our Government would have said that he had made his election and that, having failed through the insolvency of the parties, they could not interfere. As to the quibble raised by the Spanish Minister, it was more worthy of a small practitioner in a petty Court of Law than the Minister of a great nation; and he was sorry, indeed, that it should have been sanctioned by our own Minister. It might be said, "Have we a right to claim compensation from a foreign Government for injuries inflicted upon a British subject?" Vattel, Grotius, Kent, Wheaton, and other authorities were clear in favour of the proposition that "when foreigners are admitted into a country, the public faith of that country becomes pledged for their protection." This passage from Kent was quoted by Sir Roundell Palmer in the Debate upon the murder of British subjects by the Greek brigands. Sir Robert Phillimore was an authority to the same effect, and we had ourselves repeatedly acted upon this principle. When Don Pacifico, a naturalized Englishman, had his house sacked by a mob of Greeks, he claimed compensation from the Greek Government, and Lord Palmerston sent a fleet to enforce the claim. Whatever might have been the policy of this act, or the good faith of the claim advanced, the question of our right to interfere was never raised. Again, there was the case of Mr. Sullivan at Lima; and at Naples in 1850, when some Frenchmen's houses were destroyed by a mob, the French Government claimed and obtained compensation for these persons. They were met by the plea that the Neapolitan law would not have given compensation to Neapolitans; but the answer of the French Government was, "We have nothing to do with your municipal law, we take our stand upon international law, which overrides your municipal law." Again, between the Americans and Portuguese. Some American citizens having been subjected to outrage on the part of the Portuguese, the American Government demanded redress from the Government of Portugal and received it. Then there was the case of the Greek brigands, in which we had obtained compensation from the Government of Greece. In fact he had a plethora of precedents in this matter, and his only difficulty was to make a selection. He would appeal to the British Government as having themselves sanctioned the course of action which he advocated. From first to last the question of right had never been raised. Lord Clarendon, the moment he was appealed to, set himself in motion to obtain redress. Lord Granville at first did the same, and therefore the Government were now estopped from raising this question of legal right if so disposed. What then, did their objection resolve itself into? To this—that Mr. Jencken had, as the Spanish Minister stated, voluntarily waived his right. But the House would have seen, from what he had already stated, how much there was in the so-called waiver, and what little reliance was to be placed on the allegations in Senor Sagasta's letter. It was true he had brought forward this question on a night when he could not challenge a decision upon it; but for that he did not care. He preferred to put the matter on this footing—that it was one which was well worthy of the attention of Her Majesty's Government. Here was a gentleman of position, of attainments, of professional eminence, peacefully pursuing a lawful avocation abroad, supposing that he was under the protection of the Government of the country in which he was, and in the last resort of his own Government. He found no protection under the Spanish Government, and now he sought redress from his own. He hoped the noble Lord at the head of the Foreign Office, however advised at the present time, would reconsider the circumstances of the case, especially as this was by no means a solitary instance in which we had ground of complaint against Spain.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Eight o'clock till Monday next.

HOUSE OF COMMONS,

Monday, 7th April, 1873.

MINUTES.]—Ways and Means—*considered in Committee.*

Public Bills—*Ordered—First Reading*—Medical Act (1858) Amendment * [127]; Metalliferous Mines Rating * [128]; Stipendiary Magistrates (Scotland) * [129]; Entailed and Settled Estates (Scotland) * [130].

Second Reading—New Zealand Roads, &c. Loan Act (1870) Amendment * [116]; Gas and Water Provisional Orders * [126]; Poor Allotments Management * [113]; Vagrants Law Amendment * [120].

Committee—Register for Parliamentary and Municipal Electors (*re-comm.*) [105] — r.p.; Union of Benefices (*re-comm.*) * [92], *debate adjourned.*

Committee — Report — Portpatrick Harbour (*re-comm.*) * [61]; Land Drainage Provisional Order * [137].

Committee — Report — Considered as amended — East India Stock Dividend Redemption (*re-comm.*) * [102].

Considered as amended — Railway and Canal Traffic * [121]; Elementary Education Provisional Order Confirmation (No. 1) * [95]; Elementary Education Provisional Order Confirmation (No. 2) * [96].

SPAIN—SUBSCRIPTIONS FOR THE CARLISTS.—QUESTION.

Mr. STAPLETON asked the First Lord of the Treasury, Whether, considering the heavy damages this Country has to pay for the participation of individuals in matters connected with the civil war in America, he will take measures to prevent British subjects from raising subscriptions, which are not for a loan with a view to profit, but for a gift gratuitously given, in order to foment the civil war in Spain?

Mr. GLADSTONE: Sir, the Spanish Minister recently called the attention of Her Majesty's Government to an advertisement which had appeared in *The Westminster Gazette*, inviting subscriptions in behalf of the Carlists in Spain, and claimed the protection of British Law against proceedings of that character. In consequence of that representation, it was the duty of my noble Friend (Lord Granville) to examine into the state of the law, and he referred the question to the Law Officers of the Crown for their opinion. The opinion of the Law Officers was to this effect,—that the advertisement being a request for gifts—though a contract for that purpose would be illegal, and not capable of being enforced in an English Court—it did not amount to any infraction of the law at all. There is nothing to prevent any person giving or any person asking money for such a purpose. That being so, I need not say it is not in the power of Her Majesty's Government in any way to go beyond the law.

PARLIAMENT—PUBLIC BUSINESS AFTER EASTER.—QUESTION.

Mr. DIXON asked the Vice President of the Committee of Council, When he intends to introduce the Bill for the amendment of the Education Act 1870?

Mr. GLADSTONE: Perhaps the hon. Member will allow me to reply instead of my right hon. Friend; for the general arrangement of Business after the Recess is a matter for which the Government are responsible as a whole rather than any particular Department. The arrangement with regard to Public Business stands thus. It is understood by the House that the first Monday after the recess will be devoted in the first instance to the consideration of the Bill for the Abolition of Tests in the University of Dublin. We look, in conformity with usage, to the Thursday following as the earliest day when we could invite the attention of the House to the discussion of the financial measures of the Government. After that, it would have been our first duty immediately to proceed with the Bill for the amendment of the Education Act, 1870; but the hon. Gentleman will have observed that the hon. Baronet the Member for South Devon (Sir Massey Lopes) has given Notice of a Motion for Tuesday, the 29th of April, with respect to local taxation, one of the subjects referred to in the Speech from the Throne at the commencement of the

Session. That being so, we think we must anticipate that, as a natural and necessary consequence of that Motion of the hon. Baronet, who is not in any concert with us, we should proceed, perhaps, to declare the intentions of the Government on that important question, and probably to give effect to those intentions. In consequence of that change, for which we are not responsible, it will be necessary for us to postpone for a time the introduction of the measure for the amendment of the Education Act of 1870. I do not, beyond this question of local taxation, anticipate any other cause of postponement in the bringing in of the Bill referred to in the Question of my hon. Friend, and I hope he will in the meantime be satisfied with my assurance that no inconvenience to the question in which he is interested is likely to arise in consequence.

ELEMENTARY EDUCATION ACT—SCHOOL BOARD ELECTIONS.

QUESTION.

Mr. AKROYD asked the Vice President of the Committee of Council, If his attention has been called to the heavy charge of the returning officer for the election of seven members to the School Board of the small parish of Hinckley, in the county of Leicester, amounting to £150, equivalent to a rate of nearly threepence in the pound, until subsequently reduced to £125; whether there be no appeal beyond the Poor Law Auditor; and, whether he would consider the feasibility of framing a scale of charges, on the basis of the population or the number of voters, so that the parishioners should not be left in the hands of the auditor as the sole court of appeal?

Mr. W. E. FORSTER, in reply, said, his attention had been called to the charge to which allusion was made. It could hardly be said that the election was for a small parish. Hinckley having 7,000 inhabitants; but, undoubtedly, it was a heavy charge, though not amounting to more than 2*d*. not 3*d*. in the pound. The Local Government Board were making inquiries of the auditor why he had allowed it, and no answer had yet been received. A new register had to be made. The ratepayers had an appeal to the Local Government Board; he was carefully considering with his noble Friend (the Marquess of Ripon) and the Local Government Board, whether any change could be made in that particular with regard to elections.

PATENT RIGHTS—INTERNATIONAL CONFERENCE.—QUESTION.

Mr. MACFIE asked the Under Secretary of State for Foreign Affairs, Whether he has received any communications regarding a Conference relating to Patents for Inventions which is intended to be held at Vienna next August, and will state its object; whether Her Majesty's Government will be represented at that Conference; and, if he will lay upon the Table what documentary information Her Majesty's Government has received regarding it; and, whether the answers to inquiries which the Secretary of State for Foreign Affairs made last year in regard to international arrangements as to inventions are now completed?

Viscount ENFIELD: Sir, a Despatch was only yesterday received from Sir Andrew Buchanan, stating that, in accordance with a suggestion of the United States Government, the General Direction of the Universal Exhibition at Vienna intends to unite therewith an International Congress to discuss the question of Patent Rights. This information has not, however, been communicated to Her Majesty's Ambassador officially by the Austro-Hungarian Government, but by the United States Minister at the Court of Vienna. The question has not, therefore, reached a stage where Her Majesty's Government could take any action upon it. Reports upon the state of the Patent Laws in foreign countries have been received from Her Majesty's Secretaries of Legation, with a few exceptions, and are now in the printers' hands preparatory to their being laid before Parliament.

FRANCE—THE COMMERCIAL TREATY, 1872.—QUESTION.

In reply to Mr. Macfie,

Viscount ENFIELD: Sir, Mr. Van Bosse has been appointed "to act as arbitrator," in accordance with Article 3 of the Protocol appended to the New Commercial Treaty, "in regard to any points in connection with the questions of existing contracts, and relating to

British mineral oils, and the duties to be levied upon them," on which the Commissioners now sitting at Paris shall not have been able to agree.

INDIA—RAILWAY GAUGE.—QUESTION.

Sir CHARLES WINGFIELD asked the Under Secretary of State for India, Whether the question of a break of gauge on the lines of Railway in the Punjaub has been re-considered by the Secretary of State with reference to the recent debate in this House on that subject; and, if so, whether he will lay the Despatch containing the decision of the Secretary of State before this House, together with Copy of all Minutes by members of Council in support of or in dissent from the said decision?

Mr. GRANT DUFF: There will be, Sir, no objection whatever to laying these Papers on the Table if they are moved for in the usual way, as soon as the consideration of the subject promised by the right hon. Gentleman at the head of Her Majesty's Government is complete.

MERCANTILE MARINE — UNSEAWORTHY SHIPS — THE "SEA QUEEN." QUESTION.

Mr. PLIMSOLL asked the President of the Board of Trade, Whether Thomas Newton and John Kirkpatrick, the two Revenue officers who were on board the "Sea Queen" during the whole time that vessel was in the port of Newcastle before her last voyage, were called as witnesses on the inquiry into the loss of that vessel; and, if they were not called, whether he will state the reasons why they were not called; whether George Jefferson and William Ferris, who were engaged to discharge the "Sea Queen's" cargo on her arrival at Newcastle, were called as witnesses on the inquiry; and, if they were not, if he will state the reason why they were not called; and, whether it did not appear that the evidence these witnesses were prepared to tender, was to the effect that the vessel was in such a leaky state that she had to be pumped before the men could commence to unload her; and that as to Jefferson and Ferris, they in unloading the vessel had to stand in water halfway up their legs sometimes, and sometimes only over their boot tops, and that she was pumped daily for three hours by the donkey engine for three days to keep down the water, and afterwards by hand during the whole time she was in port?

Mr. CHICHESTER FORTESCUE: The House would doubtless remember the nature of the former Question of the hon. Member relative to the *Sea Queen*, and this supplementary Question was asked for the purpose of supporting a statement made by the hon. Member at a public meeting in London to this effect, that "the evidence of the officers of the Customs in this case had been suppressed by order of the Board of Trade," which was naturally followed by cries of "Shame." He then went on to say that "there was another class — the lumpers. These men were summoned, but their evidence was also suppressed," which was also followed by "loud cries of 'Shame.'" "Well, then," he asked, "with all the evidence adduced on the inquiry—with all the circumstances of the case showing that the Surveyor of the Board of Trade was trying to exculpate the owners, what confidence could they have in the Board of Trade?" It was to sustain this statement that the hon. Member asked his former Question, which he answered as fully and accurately as he could, and, he believed, to the entire satisfaction of the House. The hon. Member had followed that up by the present Question. He had made careful inquiry as to the statements contained in the Question of the hon. Member. He had submitted them to the Solicitor of the Customs, who acted on the inquiry and on all such inquiries on the part of the Board of Trade. It was absolutely impossible for the Board of Trade itself and the officials of the Board of Trade in London to decide as to what particular witnesses should or should not be called in the course of any particular inquiry. These inquiries were very numerous, and were placed in the hands of the Solicitor of the Customs, who acted under regulations, having all the information possessed by the Board of Trade, and did his best to ascertain the facts in each case. In this particular case, the only question, so far as the Board of Trade knew, was whether there had been any overloading. There was no statement of any other kind of unseaworthiness, such as being in a leaky state. Immediately upon receiving the statements, the Board of

Trade ordered an inquiry, and Mr. O'Dowd proceeded to Newcastle for that purpose. He summoned the two Customs officers whose names appeared in this Question as not being called. They were called. The evidence of those two officers, Thomas Newton and John Kirkpatrick, would be found in the proceedings of the Court which had been laid before Parliament. The Solicitor to the Customs added that he called one other witness upon the question of leakage—a German sailor, who was in the ship on a former voyage; and he then made up his mind that the evidence on the point of leakage would not be sufficient for his purpose, and he decided to confine himself to the original issue—that of overloading. The Solicitor of the Customs added in the letter which he held in his hand, that he accepted exclusively the responsibility for the conduct of the inquiry, and he would not even stoop to deny the assertion that there was any suppression of evidence or any disposition to shelter the owners. Coming from a gentleman of high character and integrity, who was charged with something amounting almost to corruption, these words of indignation were not misplaced.

Afterwards—

MERCHANT SHIPPING ACT—THE "ELEANOR"—MR. PLIMSOLL AND THE BOARD OF TRADE.

QUESTION.

MR. PLIMSOLL asked the President of the Board of Trade, Whether it is by his authority or knowledge that a person calling himself an official member of the Board of Trade has visited both Cardiff and Swansea immediately after A. Hooker, esquire, solicitor, London; and, in consequence of instructions given by this person, the Government officials have declined to give the information which they were previously willing and anxious to tender; and, if he would state to the House, by what authority a letter was written to Mr. Miller, collector of customs, Cardiff, forbidding him to give any information to Mr. Hooker, without an order from Government?

MR. CHICHESTER FORTESCUE, in reply, said, he was glad the Question had been asked, because he perceived that the hon. Member had made a statement at Liverpool which the Question was likely to clear up. That statement was that the Board of Trade had made some special objections to giving information at Cardiff. It was by his (Mr. Chichester Fortescue's) authority that a proper officer of the Board of Trade—Captain Digby Murray—visited Cardiff and Swansea and other ports about the time mentioned by the hon. Gentleman. He had some difficulty in at first discovering whether this was before or immediately after the visit of Mr. A. Hooker, solicitor, London; but he had since cleared up that chronological doubt. What happened was this—Captain Digby Murray, as was usual with the Marine Department of the Board of Trade, was visiting the outports, and was at Liverpool on official business. It happened that he was instructed to place himself in communication with the owners of the *Eleanor* at Cardiff, which had been prevented from going to sea. The owners had addressed an indignant letter to the Board of Trade complaining of this. These owners, a highly respectable firm at Liverpool, had a few days previously bought the ship without knowing what adventures she had gone through; they were not aware that in the hands of her former owners she had been condemned by the Board of Trade surveyors, and prohibited from proceeding to sea. Captain Murray was sent to Cardiff to re-survey the ship, with the view to seeing whether she could be safely sent to Liverpool for repairs, and the result was that he reported his opinion that she should not be allowed to leave Cardiff. It was this visit of Captain Murray to Cardiff and Swansea, from the 28th to the 31st of March, which the hon. Member for Derby (Mr. Plimsoll) imagined had some connection with the visit of his agent, Mr. Hooker; but Captain Murray did not see the Collector of Customs nor give him any instructions. On the 24th of March, four days before the arrival of Captain Murray, the Collector of Customs informed the Board that extensive information had been asked for which was to be derived from a search in the Custom House Books, and the Collector asked for instructions before giving it. The Board replied on the 26th that the Collector was to acquaint Mr. Hooker that it was not usual to allow persons unconnected with the Department to inspect official books and documents; but, if the Government or the Royal Commission asked for information, it would be given immediately. This answer, after it had been given, was communicated to himself by the Customs, and he did not reverse it, because he thought it a proper one. It was not possible to authorize subordinate and local officers to give unlimited information to anyone who applied for it. Before the appointment of the Royal Commission he had told the hon. Member that if he wished for any information in addition to that he had already obtained, he should be most willing to do his best to obtain and furnish it. Now that the Royal Commission was appointed, any information the Board of Trade could obtain was absolutely at its disposal. So much for this Cardiff case. But he could not sit down without answering that which lay behind all the Questions of the hon. Member. They all seemed to be inspired by an idea that there was something wrong—some favouritism or want of integrity upon these matters at the Board of Trade. If there were to be whispers and insinuations of this kind he invited the fullest and most searching investigation. For himself, he wished to say that he had the most entire confidence in the integrity and impartiality of the permanent officials of the Board of Trade, and in the gentleman at the head of the Marine Department there, the Assistant Secretary, Mr. Gray, a man who knew more about ships and sailors than, perhaps, any other landsman in this country. ["Order!"] Mr. Gray had the sailors' interests as deeply at heart as any man in England, and had laboured zealously for years in a hundred ways for their benefit. Before sitting down he wished to put to the hon. Member for Derby a Question of which he had given him private Notice.

Sir JOHN HAY rose to Order. He wished to ask, whether some of the questions which had been stated in reply to the hon. Member were debateable; and, whether the right hon. Gentleman was in Order?

Mr. SPEAKER: The hon. Member for Derby asked a Question having reference to the conduct of the officers of the Board of Trade. Undoubtedly the House will be of opinion that the President of the Board of Trade, in answering a Question of this kind, is entitled to considerable indulgence. I am not prepared to say that the Question which the right hon. Gentleman proposes to ask is irregular before I hear what it is.

Mr. CHICHESTER FORTESCUE said, he had confidence in the indulgence of the House in answering the Question, as the conduct of the permanent officials of the Board of Trade had been seriously called in question; and it was with the same motive and desire in order to protect the character of those gentlemen that he wished to ask the hon. Member for Derby a Question of which he had given him private Notice a few days previously. A report had appeared in a Liverpool paper which purported to give the hon. Member's exact words in a speech delivered in Exeter Hall. In the first paragraph were these words—

> "There are people who represent us, or who ought to represent us, on the Board of Trade, who are wholly unsuspected, who would give half their fortune to promote wrecks. There is one man who has busied himself considerably in this way, but I will not mention names."

He hoped the hon. Member would say whether these were or were not the exact words which he had used. It was impossible to allow them to go forth to the country without asking the hon. Member to say publicly whether these were his words, because if such words, or anything resembling them, were to be used, he was prepared to ask—nay, to demand—the most rigorous investigation of such charges.

Mr. PLIMSOLL: There is much wasted indignation on the question. The right hon. Gentleman asked me the question, and showed me the report a week ago, and I distinctly and immediately disavowed having used any such words, and called as my witnesses 20 or 25 Members of Parliament who heard me speak. All the papers which reported me on that occasion reported me accurately, except this one, and to this I wrote immediately the right hon. Gentleman spoke to me upon the subject, telling them of the error, and requesting that a correction should be made, which was at once done. It appears to me that was amply sufficient for all purposes of explanation; because, if every error which appears in a provincial newspaper is to be made a reason for putting an hon. Member *in loco pentitentiæ* to explain, we shall have nothing else to attend to, and no time for any other business.

METROPOLITAN POLICE—CONSTABLE GOODCHILD.—QUESTION.

Mr. AUBERON HERBERT asked the Secretary of State for the Home Department, If any Order has been issued by the Chief Commissioner of the Metropolitan Police which in any way restrains members of the Metropolitan Police Force from making any payment to H. Goodchild in respect of certain expenses incurred by him when acting as secretary to the delegates of the Metropolitan Police Force?

Mr. WINTERBOTHAM, in reply, said, that no order had been issued by the Chief Commissioner of the Metropolitan Police to restrain the members of the force from subscribing towards the expenses of the ex-officer Henry Goodchild, but there was a general order against police subscriptions. Application was made to the Chief Commissioner to allow the police to subscribe towards expenses of Goodchild, not as secretary to the delegates, but incurred by him subsequently to his dismissal; and it need not be pointed out what those expenses were, seeing that they were connected with the getting up of a meeting in Hyde Park. As these proceedings were not sanctioned and were improper, no official sanction could be given to the collection of subscriptions in respect of them. At the same time, the Chief Commissioner stated that if he were furnished with a correct statement of the expenses incurred previous to the dismissal of Goodchild, and of the moneys which had been subscribed and received by him for defraying those expenses, he would be happy to take the matter into consideration. No account had been furnished to the Commissioner. He might save the hon. Member the trouble of asking a second Question which stood on the Paper in his name—in reference to the chief constable of the Nottinghamshire constabulary destroying a poster which convened a meeting of Republicans—by saying that—

Mr. AUBERON HERBERT rose to Order.

Mr. SPEAKER: I understand the hon. Member to be answering a Question which is not yet put.

LANDLORD AND TENANT BILL.

QUESTION.

Lord ELCHO: Sir, with reference to a Question which I have placed upon the Paper, I wish to make an explanation. By the 12th clause of the Landlord and Tenant Bill which is to be introduced by the hon. Member for South Norfolk (Mr. Clare Read) any contract made by a tenant with his landlord after the passing of this Act, by virtue of which he may be deprived of any right or any claim which otherwise he might be entitled to make under this Act, shall, as far as it relates to such a claim, be void, both at Law and in Equity. It is currently reported that a great portion of the Conservative party, with the Leader of that party, have agreed either to oppose or not to oppose the second reading of the Bill in a certain event. There are two statements—one, that a determination unconditionally to oppose it has been resolved on, and another, that an understanding has been come to to withdraw the 12th clause.

Mr. SPEAKER said, that the noble Lord was entitled to say anything with a view to make his Question clear; but the statement he was now making was not necessary for that purpose.

Lord ELCHO: My Question, Whether there is any understanding between the hon. Member for South Norfolk and any Members of the House that the Clause in the Landlord and Tenant Bill, which prohibits freedom of contract between landlord and tenant, is to be withdrawn?

Mr. CLARE READ: I hope, Sir, to have the opportunity, by leave of the House, of stating my opinions of this Bill, and expatiating upon its merits, when it comes on for a second reading. I venture to think that this is rather an unusual Question for one Member to put to another. If it is any gratification to the noble Lord, I may say I know of no understanding between myself and any Member of this House in reference to any clauses of the Bill; but if there was an understanding I fear it would not disarm the hostility of the noble Lord, who was good enough to move the rejection of this Bill before it was printed.

POST OFFICE—EXPENDITURE FOR TELEGRAPH EXTENSIONS.

QUESTION.

Mr. RYLANDS asked the Postmaster General, If he will state to the House out of what funds the Post Office authorities have defrayed the expenditure on account of Telegraph Extensions up to March 31st, which is believed to have amounted to about £800,000, and for which no provision has been made by Votes in Parliament?

Mr. MONSELL: Sir, at the suggestion of the Committee on Public Accounts, of which my hon. Friend is an active member, an investigation is now going on into the matter to which his Question refers. The result of that investigation will be laid before the House, and I put it to my hon. Friend whether it would not be better to postpone any inquiry on the subject until that investigation is completed.

RATES FOR CHURCH REPAIRS, &c. (SCOTLAND).—QUESTION.

Mr. M'LAREN asked the Lord Advocate, Whether, having regard to the promise he made to the House on the part of Her Majesty's Government in the Session of 1871, to bring in a Bill during the succeeding Session for the Abolition of all Compulsory Local Rates and Assessments for building and repairing churches and manses in Scotland, and seeing that the pressure of other business prevented this from being done last Session, whether he is now prepared to introduce the promised Bill, and at what date it may be expected to be brought in?

The LORD ADVOCATE, in reply, said, the promise he made in 1871 was that he would give his best attention to the whole subject of Rates and Assessments in Scotland, for the purpose of amending and upholding ecclesiastical buildings, and that it was his intention in the course of that Session to introduce a measure upon the subject. But he also stated that with respect to such a measure—and also with respect to some other measures which were not merely in contemplation but were actually prepared—it was not advisable, with a view to their success, to introduce them into Parliament without some reasonable prospect of being able to pass them into law. No such opportunity had as yet occurred; but he was not without hope —a sanguine hope—that he might have such an opportunity during the present Session.

INDIA—THE KIRWEE PRIZE MONEY.

QUESTION.

Colonel NORTH asked the Under Secretary of State for India, If he would state to the House, what amount of Booty was seized by General Whitlock's Force in January 1859, before the end of the war, in the house of one Muckhooned Rao Jamdar, in the captured town of Kirwee, and whether it was taken by the Government of India from the troops, and given back to Muckhooned Rao Jamdar while incarcerated as a rebel enemy in the gaol at Allahabad; whether the appropriation by the Provincial Government, without express licence from the Crown, of part of the Kirwee Booty, amounting in funded and other property to nearly £300,000 (Rupees 2,896,932 2 1,) is in conformity with the Law, or with the principle established under very high authority in the Deccan Case, and whether there has been any express grant of this Booty by Her Majesty, in whom it vests, to its present holders, to legalise the possession of it; and, whether the troops are not entitled, under the Act 3 and 4 Vic. c. 65, s. 22, to have these and other disputed claims referred for a judicial instead of an arbitrary decision, and which was the unanimous recommendation of the Royal Commission appointed by Lord Palmerston in 1864?

Mr. GRANT DUFF: In reply, Sir, to my hon. and gallant Friend's first Question I have to say that certain property was found and dealt with as he describes, but that such property was not "booty." In reply to his second Question I have to say that the appropriation by the Indian Government of the property which I suppose to be alluded to in that Question, but which is quite erroneously described as booty, was strictly in conformity with the law, and, further, that by law no express grant to the Indian Government was required. In reply to his third Question I have to say that the decision which was given by the Treasury after hearing counsel was final, and that no rights to the contrary accrue to any one either under the Act 3 & 4 *Vict.*, c. 65, or under any other authority.

POST OFFICE—THE BOOK POST.

QUESTION.

MR. M'MAHON asked the Postmaster General, Why Inland Book Packets have since 1871 been reduced to "one foot six inches in length, nine inches in width, and six inches in depth," instead of "two feet in length and one foot in depth or width," the limit which has prevailed for many years, while for Book Packets for nearly all Foreign Countries, as well as for "Newspaper Packets" when intended for Inland circulation, the latter dimensions are still adhered to?

MR. MONSELL: Sir, the former dimensions were found to be very inconvenient for the Department, both in the conveyance and in the delivery of the packets, and the packets themselves were liable to be injured. For these reasons authority was obtained, when the Post Office Act of 1871 was passed, for reducing the dimensions. The rule as to book packets for foreign countries was not under discussion, and could not be altered without the consent of those countries. Newspapers have always had special privileges accorded to them, and they could not be brought under the same restrictions.

OFFICE OF MASTER OF THE ROLLS.

QUESTION.

SIR DAVID WEDDERBURN, for Mr. JACOB BRIGHT, asked the First Lord of the Treasury, Whether the Government propose to act on the unanimous Report of the 31st March from the Civil Services Expenditure Committee; and, if so, whether they will notify such intention to the new Master of the Rolls on his appointment?

MR. GLADSTONE: Sir, the office of Master of the Rolls is vacant, and when the appointment is filled up—and that step cannot be long delayed—we shall take care that the proper course is taken in relation to the Report of the Committee.

MERCHANT SHIPPING ACT—WRECK OF THE "ATLANTIC."—QUESTION.

MR. CRAWFORD said, he had to put to the President of the Board of Trade a Question of which he regretted having been unable to given him earlier Notice. It was, Whether steps have been taken to inquire into the circumstances under which the "Atlantic" was lost on the coast of Nova Scotia? He put the Question particularly with reference to statements as to the circumstances which were said to have caused the attempt to put the "Atlantic" into Halifax on her way to New York.

MR. CHICHESTER FORTESCUE: In all cases, Sir, of disaster happening to vessels in Colonial waters, under the Merchant Shipping Act, an inquiry is ordered by the Governor of the Colony, not directly by the Board of Trade. Such inquiry, I have every reason to believe, has been already ordered in this case.

PALACE OF WESTMINSTER—DECORATION OF THE CENTRAL HALL.

QUESTION.

MR. OSBORNE said, he thought it would be interesting to the House If the First Commissioner of Works would explain the meaning of the specimen of the new encaustic work which had been put up in the Central Hall of the Houses of Parliament, and whether the right hon. Gentlemen was going to fill up the vacant niches with that specimen?

MR. AYRTON said, he was not able to magnify the specimen referred to into dimensions such as would fill the vacant niches, as the hon. Member had suggested. That specimen had been hung up because it had been produced by an eminent firm, who considered that they had discovered, and were able to carry on, a process of wall decoration which was perfectly indestructible, and would not be liable to any accidents such as had unfortunately befallen the frescoes on various walls of the Houses of Parliament. He thought it desirable, as the specimen in question was a copy from the original work, which had been put up in mosaic in the Central Hall, that the two should be hung up side by side, in order that those who took an interest in the subject might be enabled to compare one with the other, and see which produced the most agreeable effect—if anything particularly agreeable were produced by it. If those who were interested, and were able to form a good judgment upon this question, should think that the mode of decoration exhibited in the specimen was better than glass mosaic, then it would be open for consideration whether it might not be used instead, because it would possess this advantage—that it would represent ultimately the actual work of the artist, and not be a mere mechanical copy in small pieces of mosaic; and also this further advantage—that whereas for the work in the Central Hall £150 was paid to the artist who designed it, upwards of £500 was paid to the mechanics who exhibited it in the present form. That did not appear to him to be a mode of patronizing fine Art, although it might be a good way of patronizing mechanical art. It was, however, always understood that the walls of the Houses of Parliament should be made as available as possible for patronizing fine Art in this country, and he thought it desirable to find some means by which the works of artists could be painted on the walls in a durable manner. The painted frescoes had not succeded, and by the deliberate decision of the House last Session it was determined in Committee of Supply, that no further attempt should be made to adorn the walls with fresco paintings. It was, therefore, necessary to find some other means of adorning, and they must either have works of art or mere mechanical devices, which might be new, or which might be a mere revival of the works of a semi-barbarous period of decoration.

EDUCATION (SCOTLAND) ACT—TEACHERS.—QUESTION.

MR. GORDON asked the Vice President of the Council a Question, of which he had given him private Notice —Whether teachers who were examined at training colleges in Scotland since the Education (Scotland) Act came into operation, and who have successfully passed such examinations, are to be considered as the holders of certificates of competency in terms of the 56th section of that Act?

MR. W. E. FORSTER: My answer is a short one, but I hope it will prove a satisfactory one. I have to say Yes in reply to the hon. and learned Gentleman's inquiry.

MERCHANT SHIPPING ACT—THE "MAGGIE."—QUESTION.

MR. MACFIE asked what had been the result of the inquiry of the Home Office with regard to the men imprisoned in Edinburgh gaol for refusing to proceed to sea in the "Maggie?"

MR. WINTERBOTHAM, in reply, said, that the Secretary of State having made inquiry, found no grounds for interfering in the case. There was no allegation of unseaworthiness. The vessel had been recently surveyed at Lloyd's and was found to be seaworthy. The only allegation was that the vessel was undermanned; but that had not been proved.

IRELAND—BELFAST ASSIZES—CASE OF MR. M'ALEESE—QUESTION.

SIR JOHN GRAY asked, Whether any information has been received at the Home Office with respect to the case of Mr. M'Aleese, the gentleman sentenced for contempt of Court at the Belfast Assizes to four months' imprisonment and the payment of a heavy fine; and whether it is the practice in England to treat persons sentenced for contempt of court in the same manner as persons convicted of criminal offences?

MR. WINTERBOTHAM in reply, said, he was not prepared to answer the latter part of the hon. Member's Question at present, and with regard to the case referred to, no information had reached the Home Office.

PARLIAMENT—THE EASTER VACATION—ADJOURNMENT OF THE HOUSE.

MR. GLADSTONE moved that the House at its rising do adjourn until Monday, the 21st April.

MR. G. BENTINCK wished to take advantage of this Motion for the purpose, in the first place, of making some remarks on the unsatisfactory mode in which the Business of the House was conducted, and, in the second place, of putting a Question. On Friday last, in answer to a Question which he put to the First Lord of the Admiralty, he was informed that the Navy Estimates would not be brought on after half-past 11 that night; but, looking to the state of the Business on the Paper, the right hon. Gentleman hoped that he would be able to go into them in the course of the evening. Accordingly, he and several other hon. Members waited in expectation that the Navy Estimates would be brought on. About a quarter-past eight, however, a supporter of the Government called attention to the fact that there were not 40 Members present, and that being found to be the case, the House stood adjourned. Now, he thought that those hon. Members who had remained for the purpose of devoting their attention to the Navy Estimates had good ground for complaining that the Government did not take care that there should be a House for carrying on their own business on Friday night. But there was a still graver question connected with this matter. It would be in the recollection of the House that for some years past many successful attempts had been made to trench on the privileges of independent Members and to curtail the time at their disposal for introducing measures which they might think it right to bring forward. Whenever one of these attempts was made, the Prime Minister, who always supported them, did so on the ground of the growing Business of the House. Now, he (Mr. Bentinck) did not dispute the fact that the Business of the House had been growing. It had been growing rapidly and inconveniently. But that seemed to him to furnish an additional reason for complaining that when Supply was on the Paper, and it had been announced from the Treasury bench that the Navy Estimates would be brought on, the Government did not take the trouble to make a House for discussing them. They had heard a statement from the Government relating to the progress that was to be made with respect to Public Business after the recess, and that statement he could not help regarding as unsatisfactory. After the failure of the Government to keep a House on Friday evening they had had no announcement from the Government as to when the Navy Estimates were to be taken, and he should be glad to learn when there was any prospect of their being proceeded with.

Mr. GLADSTONE grieved to say that he himself was one of those against whom the hon. Member complained, as not being in the House on Friday night. He had a very good reason to give for his absence, having been unable to leave his bed the whole of that day. The hon. Member for West Norfolk had stated that the 32 or 33 Members of the Government, and no one else, were responsible for there not being 40 Members in the House. That, however, was straining a doctrine—which no doubt to some extent was applicable—too far, and if the hon. Member was conversant with the actual state of things with regard to keeping a House as far as the independent Members of the House were concerned, he would know that it was not always in the power of the Government to secure a House. The fact was, it could not be done. Such were the facilities for getting away from the House; such was the strength of social attraction to men of such social abilities as those possessed by Members of that House, and so limited were the means of getting back to the House at the command of Members who had got away, that the thing was impossible. He regretted these things very much, but they would happen from time to time. He did not by any means exempt the Government entirely from the responsibility of what occurred on Friday night, and it was a matter of very serious consideration with him, because such proceedings were becoming ridiculous. He hoped the hon. Gentleman would accept his assurance that the Government would always do their best to keep a House. The first place on the first day after the recess was pledged to the hon. Member for Brighton (Mr. Fawcett), and he was not satisfied that it would be for the convenience of the House to put down the Navy Estimates for the same evening. Otherwise, that course might be taken. But if it was not desirable, it would be still less desirable to postpone the Business connected with his right hon. Friend's financial proposals. They should be anxious to give the Navy Estimates the earliest place compatible with the arrangements he had mentioned.

Mr. NEWDEGATE, reverting to the circumstance of the "count out" on Friday said, he wished to make a remark that would strengthen the observations of the hon. Gentleman the Member for West Norfolk (Mr. G. Bentinck). He (Mr. Newdegate) was a member of the Committee on Public Business in 1861, and the change then made curtailing the opportunities for business at that time enjoyed by the unofficial Members of the House, was made upon the distinct understanding, that the Government would keep a House on Friday. That was the condition, indeed, upon which unofficial Members gave up their right to Thursday. The arrangement was that Supply should be put down first among the Orders of the Day on Fridays, even though no Supply was required; and the condition was that the Government should keep a House on Friday night. He must be allowed to say, then, when unofficial Members were taunted with having accumulated so large a quantity of business, that it could not be transacted, they had a right to refer to the "count out" on Friday as an instance in which the Government had added to their embarrassment.

Mr. CAVENDISH BENTINCK said, he thought the inconvenience might be averted by the Prime Minister placing a pressure upon his own particular partizans not to count out a Member of the Government. A practice had arisen during recent years of counting out Ministers, which was not only detrimental to the public service but which brought the proceedings of the House to a mere farce. He would give three instances to support his allegation. On a late occasion an hon. Member had a Motion which had a great deal to do with the regulation of the Metropolis, and when he had completed his statement and the Home Secretary was about to reply, the hon. Member for Burnley (Mr. R. Shaw), one of the supporters of the Government, rose and caused the House to be counted out. The other day the hon. Member for West Norfolk (Mr. Bentinck) submitted a Motion touching the important subject of collisions of ships at sea, and the President of the Board of Trade was in the middle of a speech in reply when the hon. Member for Macclesfield (Mr. Chadwick) rose in his place, and simply from spite, he having been counted out himself ["Order"]—

Mr. SPEAKER reminded the hon. Member that he was transgressing the Rules of the House.

Mr. CAVENDISH BENTINCK begged at once to withdraw the expression. He believed the word "retaliation" had been used by the hon. Member on a former occasion. But, at any rate, the hon. Member for Macclesfield had the President of the Board of Trade counted out. On Friday night the hon. and learned Member for Dewsbury (Mr. Serjeant Simon) made a statement of great importance affecting the treatment of British subjects abroad; but before any answer could be given by the Government the House was again counted out. He was bound to say that the Conservative counts-out were always made with great judgment, and if that example was followed by the advanced Members of the Liberal party, there would be less waste of the public time in future.

Motion *agreed to.*

House at rising to adjourn till Monday, 21st April.—(*Mr. Gladstone*).

WAYS AND MEANS—FINANCIAL STATEMENT—COMMITTEE.

Ways and Means *considered* in Committee.

(In the Committee.)

The CHANCELLOR of the EXCHEQUER: Mr. Bonham Carter, — The financial year which has just come to a close has been by no means exempt from incidents and vicissitudes. We have had what I fear must be characterized as an unfavourable harvest. Two of the States which, together with us, formed the barrier of Europe against the Atlantic, are at this moment provisionally governed, and one of them seems to be in the throes of a civil war. If we turn in another direction, we find that the monetary world has been very much agitated, and that apprehensions have been excited by the very large remittances of money which have taken place from France to Germany; and, in addition to that, we have had at home the self-inflicted misery of strikes to contend with, besides a great rise in the price of all the necessaries of life, more especially in that greatest necessary in our cold and damp climate—coal. But I think that any one who attends to the narrative which I am about to lay before the House will not be able to trace the slightest vestige of any ill effect which those different vicissitudes and misfortunes have had upon the revenue and finances of the country. Things which in former years would have produced the most active effect seem now almost powerless. It really looks as though the wind that could bow the sapling were harmless against the oak—as if our finances, our business, our commerce, our trade, by the immense expansion which has taken place, have gained in solidity, and are more difficult to be moved, just because they are larger than before. I trust it will prove so. At any rate, my task this year is a very gratifying one—namely, to detail the financial results of a year of almost unexampled prosperity.

The first point to which I will draw the attention of the House is the comparison of the Expenditure of the year which has just elapsed—1872-3—with the total Grants within that year. By the words "total Grants," I understand the Grants which were made in the Appropriation Act, together with the Supplemental Estimates which were granted in the current year. Now, the total Grant of the year 1872-3 amounted to £71,881,000, and the actual Expenditure of the year amounted to £70,714,000. So that the actual Expenditure is less than the actual Grants by a sum of £1,167,000, and less than the amount granted in the Appropriation Act by £949,000, and less than the total original estimate in the Budget by £599,000.

I now proceed to mention some of the principal items of this saving. The first is a sum of £205,000 unexpended money —Charges on the Consolidated Fund. That arises in this manner:—By the Act of 1869, by which the Chancery and Bankruptcy balances were transferred and paid into the Exchequer, provision was contained to the effect that, in case the funds fell below a certain sum, a Grant should be made in aid of them from the Consolidated Fund. We have had to make such a Grant since the Act was passed, and a sum of £100,000 was put down for that purpose. Happily, however, the fund has been sufficient, and the Grant has not, therefore, been called on. Another cause is somewhat similar in its nature. By the Telegraph Act, also of 1869, it was enacted, that if the Telegraph revenue should show a profit, that profit should be expended in the purchase of stock, and £100,000 was put down to meet such an expenditure. The fact, however, was that this expenditure was only £11,000, and so far there is a saving of £89,000:—making a total saving of £205,000 on the Consolidated Fund. Again, the Civil Service Estimates show a very large reduction indeed—amounting to no less than £766,000. This arises principally on two heads—the one Education, the other Public Buildings. In respect of the first, the Education Department seem to have believed that the Act of 1870 would come more rapidly into effect than it has done, and they made provision accordingly, which has not been called upon. That, I may say, in passing, is only in accordance with my own experience. An error which people are very likely to fall into is this—that because a change is made the change which is expected and desired can be at once brought about. According to my experience, it is a matter of great time, labour, and care, to bring a new system of any kind to maturity. Twenty years of excessive labour were devoted by able men to the old system, and I think we must not be too sanguine in expecting that the new scheme shall arrive at the point we should like to see it attain, until, at any rate, several years have elapsed.

Then, with respect to public buildings, there is a considerable amount—about £300,000—of unexpended money. The chief buildings on which this money has been saved are the Post Office and Inland Revenue Offices, and the Natural History Building connected with the Science and Art Department. On this subject the Committee on Public Accounts have made what I think is a very valuable suggestion. They point out that very large surrenders are often made in this Department—amounting in 1869 to £260,000; in 1870 to £279,000; in 1871 to £243,000; and in 1872 to £305,000. And they point out how this happens. They say that the necessity of repaying into the Exchequer the unexpended balance of each Vote on the Civil Service Estimates causes their framers in each Department to insert in the Estimates outside amounts beyond what are required. Experience, they say, shows that though each calculation may be specifically justifiable, the collective amounts are, from various causes, always more than is spent, and this suggests a system of transfer from one building to another, somewhat similar to that adopted in the Appropriation Act with reference to the Army and Navy. That suggestion is worthy of consideration, and to it we will endeavour to give effect. In the Post Office Department there is an excess of Expenditure of £24,000, and in the Telegraph Department of £172,000. The Public Accounts Committee report that the excess is due to the rapid and unforeseen expansion of telegraphic business during the year. I think that in future it would be better that Supplemental Estimates should be moved for any excesses of this kind than that they should be allowed to run on to the end of the year.

I have now compared the actual Expenditure of the past year—1872-3—with the Grants of the year, and it may be worth while to compare the Expenditure of 1872-3 with that of 1871-2. The Expenditure of 1871-2 was £71,490,000; that of 1872-3 was £70,714,000, showing a decrease of £776,000 in the Expenditure of last year as compared with the year preceding it. There was a decrease of expenditure on the Army of £1,055,000; the Navy, £358,000; the Miscellaneous Civil Services, £187,000; the Consolidated Fund charges £222,000, and on the National Debt of £34,000; making in all £1,856,000. There has been an increase of expenditure in only two items —namely, for the abolition of Purchase £606,000—which I need hardly say, is quite out of the control of the Treasury — and in the Revenue Department £575,000, arising mainly from the great extension of the Post Office and Telegraph Departments; making the net decrease £675,000.

I now proceed to compare the Revenue of the year 1872-3 with the Estimate of that year. The Estimate was £71,846,000; the actual Revenue for the year has been £76,608,000, so that there was an increase of Revenue over Estimate of £4,762,000. The Expenditure, as I have stated, for the year was £70,714,000, and subtracting one of these amounts from the other, we find a surplus of Income over Expenditure for the year which has just expired of £5,894,000. Of this Revenue there were derived from sources other than taxes—from the Post Office, Telegraphs, Crown Lands, Fees, and Miscellaneous — £10,191,000, so that the residue alone was derived from taxation. The Customs have, I find, increased by the large amount of £953,000. In fact, there has been an increase in every item of Customs' revenue with the exception of coffee, chicory, Geneva, and molasses. Coffee produced, in the financial year to the 31st of March, 1872, £362,000; but in the year just expired, owing to the reduction of duty, it produced only £204,000; and chicory, which in 1871-2 produced £104,000, in 1872 produced only £73,631. In the month of May there was an enormous increase of consumption, and every month except September shows an increase over the corresponding month of the previous year. The Returns are very gratifying; because it has always been said that coffee was an article which it was no use relieving from taxation, since the people of England could not make it, and did not like the trouble of having anything to do with it—and, in point of fact, it was not a national beverage. But certainly the result, so far as I can learn, has shown the contrary. The increase in the consumption of coffee was estimated at 7 per cent, but it has been 11·8 per cent. This is a little remarkable, because there was a rise in price in the year of 17 per cent. In the year before there had been a decline of 11 per cent in consumption. The loss on coffee was estimated at about £165,000; but in the face of these adverse circumstances it has proved to be only £157,000. The result of the change of duty, taking Customs and Excise, coffee and chicory together, may be stated thus: — the actual revenue for 1871-2 was £479,000, as compared with an estimated revenue of £495,000. For coffee and chicory the estimate for 1872-3 was £265,000, but the actual revenue was £273,000. It is pretty plain, therefore, that I was right in thinking that coffee was over-taxed with respect to tea, and that it only required to be placed on a level with it for the consumption to increase. The increase in Customs Duties has been—in spirits, £357,000; in tobacco, £253,000; in tea, £129,000; in wine, £37,000; and in sugar and molasses, £85,000.

I now turn to the Excise. The Revenue from Excise in the year just expired has been £2,475,000 in excess of the Estimate, spirits showing an increase over the previous year of £1,330,000, making the total receipts from spirits £13,600,000. The increased consumption has continued throughout the year, and at the rate of £25,000 per week. During the six months, April to September, it was at the rate of £30,000 per week, and in the last six months it was at the rate of £20,000 per week. It is impossible to make such a statement as this without very mixed feelings. On the one hand, we cannot help thinking to what much better use the greatest part of the money, only a small portion of which is represented by these enormous totals, might have been put; on the other hand, we cannot but in some degree rejoice that the state of the working classes has enabled them to make this expenditure, although they might have spent the money in so much better a way. I now come to Malt, the increase on which is also very large. The increase of revenue in 1872-3 over 1871-2 is £866,000; but of this £400,000 is due to exceptional circumstances. It arises from a late malting in 1871-2, and an early malting in 1872-3. The real increase in quantity of malt made is represented by the respectable figure of £466,000. The licences, which have not been progressive lately, show an increase of £148,000. Stamps also show a remarkable increase over the estimate of £247,000, while as compared with last year's produce Deeds show an increase of £105,000—although you remember that the reduction on Stamps was very considerable—Bills of Exchange of £110,000, Receipts and Drafts of £40,000, Marine Insurance of £12,000, Probates and Administrations of £75,000, and Fee Stamps of £10,000, making altogether £352,000. But that has been compensated by a falling off in Stamp Duties which are not under the control of the Government, and perhaps it is not desirable that they should be—I mean the Legacy Duties, amounting to £190,000. But it should also be remembered that the amount of Legacy Duty in the year 1871-2 was the largest on record—namely, £3,371,000. The Income Tax shows an increase over the estimate of £560,000.

I now come to the comparison of the Revenue in 1872-3 with that in 1871-2. In 1872-3 it was £76,609,000; in 1871-2 it was £74,708,000, showing an increase of £1,901,000; and this, though taxes have been remitted calculated to produce a loss of £3,240,000 within the year.

I have now to turn to another subject—the state of the Exchequer Balances. We are responsible for four financial years, from the 1st of April, 1869, to the 31st of March, 1873. On the 1st of April, 1869, the balance in the Exchequer was £4,707,000. There has been a surplus of revenue over ordinary expenditure during the four years of £16,079,000, and an excess of repayments of loans for public works over advances of £2,109,000, making together £22,895,000. Out of that sum there has been applied directly to the extinction of Debt £10,903,000, leaving a balance on the 31st of March, 1873, of £11,992,000.

This brings me to the question of the Debt. Between April, 1869, and April, 1873, we have paid off Debt to the amount of £29,633,000; but during the same period we have incurred Debt for Telegraphs £8,668,000, and for Fortifications £1,285,000, making together £9,953,000. Subtracting that sum from the £29,633,000, there remains a net diminution of Debt of £19,680,000. The Committee should observe that the Debt incurred for Telegraphs—£8,688,000—is not money sunk, but represents reproductive expenditure, so that, in truth, we have not been far from reducing the Debt by the large sum I first mentioned. On the 1st of April, 1869, the total Debt of all kinds, Funded, Unfunded, and Terminable Annuities, was £805,480,000. On the 1st April, 1873, it had been reduced to £785,800,000, it being composed as follows: — Funded Debt, £727,425,000; capital value of Terminable Annuities in Three per Cent Stock, £53,546,000 (42,000,000 of which I think I am correct in stating will drop in 1885); and Unfunded Debt—namely, Exchequer Bills—for we have no Exchequer Bonds out—£4,829,000, making a total of £785,800,000. The Debt has been reduced within the current year by £6,861,000. I will give a few figures showing what I may call our capital expenditure during the last four years. During that time we have spent in Fortifications and Telegraphs, £9,028,000; in the Abolition of Purchase, £1,286,000; we have diminished the Debt by £19,680,000, and we have increased the balance in the Exchequer by £7,285,000, making altogether a balance of capital expenditure for permanent objects of £37,279,000. During the same four years taxation has been remitted amounting to £9,166,000—which I hope will be an answer to those who accuse us of having devoted our attention wholly to the reduction of Debt and of having done nothing to alleviate the burdens of the people.

I now turn to the financial year on which we are entering, and compare the estimated Expenditure for that year with the Grants of 1872-3. The estimated Expenditure for the current year is £71,871,000, and the Grants of 1872-3 were £71,881,000; showing a net decrease of £10,000. There is a reduction of charge on Debt of £80,000, arising from the cancelling a large amount of stock, and a reduction of Exchequer Bills over £300,000. On the other hand, there have been loans raised by Terminable Annuities for Fortifications, and Barracks. The Charges on the Consolidated Fund are reduced by £210,000, which is a counterpart of the statement I made to the House at an earlier period of the Session. We have not thought it necessary to estimate the balance of the funds in the Courts of Bankruptcy and Chancery. There is no need to apprehend a call, and we have not estimated for them. On the other hand, we have not thought it necessary to place £100,000, or any other sum, in order to provide for profit on Telegraphs. The Army Expenditure, as the Committee have heard from my right hon. Friend (Mr. Cardwell), is £407,000 less than in the past year, the chief decrease being £350,000 in warlike stores. There is an increase on fuel and provisions of nearly £400,000. On the Navy there is an increase of £341,000. There is an increase in the Dockyards through the increase of Wages of £136,000, also an increase of £144,000 in Naval Stores, and an increase on Steam Machinery of £132,000, making together with various other items £475,000. The increased cost of coal is estimated at £60,000. The Civil Services show an estimated increase of £127,000. There is a decrease in Class 1 on a number of buildings now in hand; but an increase on the Natural History Museum and the New Courts of Justice, both buildings which we are now seriously about to commence. We have only recently received the estimate for the New Law Courts, and I do not think that any time has yet been lost in that matter. In Class 2 there is an increase of £107,000, due to an increase in the Local Government Board estimate caused by the Public Health Act, and in the Home Office estimate caused by the Mines' Regulation Act. In Class 3 there is an increase of £131,000, wholly attributable to increase of pay to the police. There is an increase for the Dublin Constabulary, in consequence of the Report of the Royal Commission of Inquiry. There is also an increase of the Metropolitan and County police of England. Industrial Schools also exhibit an increase, which, I apprehend, will continue so long as those institutions are conducted under an Act so loosely drawn as the present one. On the other hand, Criminal Prosecutions, Reformatories, and County Prisons show a decrease, which is, of course, gratifying. In Class 4 Education shows a decrease of £100,000; which is owing to the fact that I have already mentioned—namely, that the Act does not come so rapidly into effect as was anticipated. Science and Art and Education in Ireland show an increase. Class 5 is practically stationary. There is some decrease in the charge for Colonial Establishments, while for the Diplomatic Service and for the Zanzibar Mission there is an increase. In the Revenue Departments the Customs and Inland Revenue show an increase of £40,000, arising from the new assessment to the Income Tax. In the Post Office there is an increase of £135,000, attributable to the progress of the Service, and the Telegraphs exhibit an increase of £145,000, due to the same cause; the revenue being estimated to increase in larger proportion.

I now proceed to submit to the House the estimate of the Revenue for the year 1873-4, as compared with the actual Revenue for 1872-3. The actual Revenue for 1872-3 was £76,608,770. The estimated Revenue for the year 1873-4 is £76,617,000; so that there is an increase over the actual Revenue of last year of £8,230. We take the Customs at the same amount as they produced last year —namely, £21,033,000. The Excise we estimate to yield £25,747,000, or £38,000 less than last year. That decrease is, I apprehend, accounted for by what I have already mentioned about an apparent great rise in malt. The Stamps we take at £10,050,000, being an increase of £103,000. The Land Tax and the House Duty we take at £2,350,000, or £13,000 more than they yielded in 1872-3. The Income Tax we take at £7,000,000. It yielded £7,500,000 last year, the difference of £500,000 being, of course, accounted for by the relics of the higher rate we had before. The Post Office we take at £5,012,000, showing an increase of £192,000; the Telegraph Service we estimate to produce £1,220,000, showing an increase of £205,000; the Crown Lands we take at the same amount as last year—namely, £375,000, and the Miscellaneous we estimate at £3,830,000, being an increase of £33,230 over last year. The total estimated Revenue for 1873-4 is £76,617,000, being an increase of £8,230 over the actual Revenue of 1872-3. The Customs, as I have said, are put at the same figure as last year. The Excise we estimate to produce a total of £25,747,000, divided under the following heads:—chicory, £7,000, licences, £3,880,000; malt, £6,980,000; racehorses, £10,000; railways, £520,000; spirits, £14,200,000; sugar, £150,000; —total, £25,747,000. The estimate for spirits is taken at a considerable advance over last year, it having been observed that the revenue from this source has of late years advanced steadily and almost in the same ratio, or about £700,000 a-year. In 1866, when my right hon. Friend at the head of the Government was Chancellor of the Exchequer, he called attention to the large yield under the heads of Customs and Excise, and stated that £13,955,000 from spirits was the largest sum ever raised in any period of our history by a tax on a single commodity. Well, the estimated income for the ensuing year from spirits under the heads of Customs and Inland Revenue is £19,000,000. The Income Tax we estimate will produce £7,000,000; that is, £1,750,000 for every penny. When the late Sir Robert Peel first imposed the Income Tax, he estimated, taking an average of years, that it would yield £728,000 for each penny. So that the result of 30 years of experience, and I hope of the improvement of the tax has been that it now yields £1,000,000 for every penny more than it did in 1842.

It now remains for me to balance the two sides of the account. The Income for the year 1873-4, as I have stated, will be £76,617,000; the Expenditure we estimate at £71,871,000—showing a surplus of £4,746,000. I have already informed the Committee that the Balances in the Exchequer approach very closely upon £12,000,000.

Now, the question arises, what are we to do with all this money? The first subject which must be in everybody's mind, and which, therefore, I will deal with first, is the damages in which we have been cast by the Arbitrators at Geneva. Their amount, as far as we can tell by reducing American money into English, is £3,200,000, which we are to pay before the 1st of October next in gold at Washington. [Mr. WHITE: The date in the Award is the 14th of September.]

The Chancellor of the Exchequer

It will have to be paid in gold. This appears to me, I confess, to be the service of the present year. Some people, as I have observed, have attempted to make out that, seeing the Arbitration occurred last year, it may be said in some degree to belong to last year. But I hold it to be an indubitable principle that nobody pays debts before he is obliged, and as we are not obliged to pay before the 1st of October next, it is in the year in which that fatal day arrives that our duties accrue in this matter. I, therefore, regard this as undoutedly a charge not on the year that has gone by, but on the year that is now before us. But while I state this I am also quite free to admit that this does not necessarily settle the question of the manner in which this large sum is to be met. It is quite true that it is a charge on the year, but it is also true that it is a charge entirely *sui generis*, and that it has never happened to us before, although I am quite willing to say I hope it may happen again—["Oh, oh!"]—at least, I hope the chance of it may occur again by the reference of some future difference which may arise to arbitration. So large a payment, however, undoubtedly interferes with our ordinary finance; but it interferes with it not as a permanent payment, but as one that comes once and that may never recur. We have taken these matters into our consideration, and we are of opinion that, on the whole, it is our duty to place one-half of this payment upon the ordinary revenue of the present year. That will be the sum of £1,600,000. As to the rest of the sum—namely, another £1,600,000—we think that we ought to provide for its payment, without any further resort to the taxation of the year, by asking for power to give Exchequer Bonds or Exchequer Bills for the amount, in case—which I do not at all anticipate—of an unfavourable state of the finances. By that means we have disposed, therefore, of £1,600,000 of our surplus. There remains £3,146,000; and the question is, how are we to dispose of that sum? We have carefully considered the matter, and we have come to the conclusion that it is our duty to propose a remission of taxation on some articles which enter very generally into the food of the people, and in that way to give the greatest and most general relief. After having weighed as well as we could the claims of different articles, we have come to the conclusion that the article on which it was desirable that we should fix was sugar. There were a great many taxes which one would be exceedingly anxious to reduce; but there was scarcely one which enters so widely into the comforts of all classes of Her Majesty's subjects—from the highest to the lowest—as sugar. It is a sweetener which enters into all sorts of food; it is the delight of children, and the solace of age. With all these admirable qualities, it is exceedingly nutritious and wholesome, constituting really and truly an article of food. We are also very much encouraged by the result of former reductions to proceed further in this direction. The sugar duty in 1872-3 produced £3,252,000, that being a very considerable recovery from the sum which was taken off in 1870. We are now asking you to make this reduction chiefly on one ground, but there are others on which I need not enlarge which may be taken into account. The reduction of the duty in 1870 has brought into more conspicuous view a set of questions with which I confess I, for one, was very little conversant before, and on which I would wish to be allowed to say a few words. Nothing, perhaps, has been legislated about so minutely as sugar. It is divided into five different scales, the first being under the head of refined and the others of unrefined sugar. To each of these scales a different value is attached. Before 1865 the highest scale of refined sugar was, I think, taxed at 18*s*. per cwt, and the lowest at 12*s*. My right hon. Friend near me (Mr. Gladstone) in 1865 reduced the tax on the highest to 12*s*., and on the lowest, if I am not mistaken, to 8*s*. per cwt. In 1870 the House reduced the tax again to 6*s*. and 4*s*., so that as we reduced the tax we gradually reduced the range within which the five scales I have mentioned operated. In other words, we left the same number of stairs as before, but then they were not so steep. The effect of these reductions has been very considerable, and, so far as they have gone, I think that they have proved very beneficial. There are not only five different scales of duty for sugar, without counting molasses, but seven different scales of drawback for one class—that is, refined sugar. This drawback is not paid upon raw sugars, but it is paid on refined sugar. The great object in estimating the drawback was to ascertain how the sugar was refined. This process gives rise to innumerable practices, which I will not call by any harsh terms, but which are called by harsh names by our lively neighbours across the Channel. Without going into details, I may say that the effect of these practices was that what Parliament intended to be given as a drawback became very different, and the Revenue was greatly injured. The effect of the change no doubt diminished this injury. The difference was not so great as to make it worth a man's while to dress the sugar up so as to make it look of a different class to what it really was in order to obtain the drawback. This tended very much to make the drawback what it was intended to be —a re-imbursement of duty instead of a bounty upon the exportation of the article. Gentlemen connected with the trade have come to me and complained very much of having been injured by the change—the bounty being so small there was not the same room for profit. I hold this to be an excellent result of what has been already done, and we think that matters in this respect may be further improved if the House will listen to our proposal to diminish the scale still further, leaving the scale itself as it exists; indeed, we have not the power of altering it, because we are bound to it by Treaty on that subject. But the several scales will be so near each other that it will not, probably, be worth the while of anyone to take much trouble in order to get more in the shape of a bounty than he would have to pay in duty, and the Revenue will thus be more fairly treated. The reduction, I may add, which we propose is, to take off again half the duty on sugar as before. The duty for the present year—1872-3— is £3,252,000, and the half of that sum is £1,626,000. We believe, however, that the increased consumption would give us £1,822,000, and that the loss to the Revenue, therefore, would be only £1,430,000. I may mention, while on this subject, that we propose the reduced duty should not come into effect until the 8th of May, so that time may be given to those who hold stocks of sugar to get rid of them. [Mr. Crawford: Hear, hear!] We have no inclination to enter into another discussion with my hon. Friend the Member for the City of

London, and after the cheer with which he has just received my proposal, I hope he will not come forward again as one of those evil counsellors who may be disposed to contend that further time should be given. The precise rates of duty will be found in the Resolution which I will propose, and it will be sufficient to state now that the highest rate on refined sugar will be 3*s.* per cwt; on the first class, 2*s.* 10*d.*; on the second, 2*s.* 8*d.*; on the third, 2*s.* 5*d.*; on the fourth, 2*s.*; and on molasses, 10*d.* Well, we have still something left, and I will not keep the House in suspense one moment on the subject. What we propose to do is to take a penny off the Income Tax. There has been considerable agitation against this tax, to which, however, we have felt it to be our duty to offer the firmest opposition. The fact is, we are in no position to get rid of the tax—at least in the present state of our finances. Nor are we in a position, as I have often argued, to break down the integrity of the tax by treating one Schedule in a different manner from another. We have no choice but to retain it; but we are anxious to act as fairly as we can towards all parts of the community; and having given great remissions in the shape of indirect taxation, we wish also to relieve, as far as possible, the large classes that come under direct taxation. There is also another reason for the proposal which we make which is not quite so obvious. When Sir Robert Peel imposed the Income Tax in 1842, the tax, which was then 7*d.* in the pound, yielded, I think, £7,100,000, or about £100,000 more than the present amount. [Mr. DISRAELI: Without Ireland.] At present a tax of 3*d.* in the pound would yield as much as a tax of 7½*d.* would yield in the days of Sir Robert Peel, and we are therefore maintaining the amount of the tax as nearly as possible at its original level, while we are diminishing the number of pence in the pound. In consequence of the proposed reduction there will be a loss this year of £1,425,000. I have also to mention another small matter—I allude to a reduction of £30,000 which we propose, by extending the exemption for servants to persons employed by hotel keepers, and persons keeping houses for the sale of intoxicating liquors. They have made out, I think, a good case, because they have hitherto been charged for their servants under circumstances which have caused other trades to be exempted. I had no sufficient answer to give to their argument, and therefore I give them this £30,000. I may also observe that the reduction of the duty on sugar will cause an increase of £30,000 to the Excise, because the Excise demand a large sum for a certain amount of sugar used for the purpose of protecting malt, and the lower duty now paid to the Customs would be paid to the Excise. Setting that sum against the £30,000 by which the Excise will be diminished by the remission of the tax on the servants of hotel keepers, the amount of the Excise duties will remain unaltered.

I will now state to the House the result of these changes. The Customs will be diminished, by the remission of half the sugar duties, to £19,603,000. The Excise will remain as it is, having lost £30,000 and gained £30,000. The Income Tax will be reduced from £7,000,000 to £5,575,000; and the Expenditure will be augmented by £1,600,000 on account of the payment of the Alabama Indemnity. Thus the estimated Revenue will stand at £73,762,000, against an Expenditure of £73,471,000, leaving a surplus Income over Expenditure of £291,000.

To sum up briefly what we have done, I may say that we hope to pay during this year the amount of the Alabama Indemnity, £3,200,000. [An hon. MEMBER: Half that amount.] No, we hope to pay—in fact, we must pay—the whole of that amount during the year; we hope to reduce the National Debt by £6,000,000; we shall lend £1,000,000 in excess of payments in respect of Public Works, and we shall remit taxation to the amount of £2,835,000.

I trust these Estimates will be satisfactory to the Committee and that hon. Members will think that the Government have acted in a spirit of fairness and equality to all parties. We have been anxious to hold the balance as evenly as we could between direct and indirect taxation, and to consult, as far as we could, the wishes and interests of every portion of the community. We believed that we could not listen to the request to take off the Income Tax altogether, but we have endeavoured to make the burden more tolerable; and we believe that in reducing the tax upon sugar, we shall not only largely relieve the consumers of that article, but also strike a vital blow at a very objectionable system that has grown up of giving bounties under the form of drawbacks. While they have done their best to relieve the taxpayers, the Government have not been unmindful of the duty resting upon them to reduce the Debt as far as they were able. During the present year we have paid off £6,800,000 of Debt. There are, I believe, some who murmur at our having devoted such a large sum towards the payment of the Debt. I hope, however—and indeed I believe—that those who hold that opinion are in a small minority, and that they will continue to be in a minority, for I am perfectly satisfied that whenever this nation shall arrive at a point when it shall lose its feeling for the corporate unity of the nation, and shall come to regard individual comfort as of more importance than the welfare and the well-being of the State, and shall consult merely the wishes and the convenience of the present generation; when we shall adopt the witty and worthless maxim—"That as posterity has done nothing for us, it is our duty to do nothing for posterity"—we shall not be far from the edge of that abyss into which so many States and Empires have been precipitated by self-seeking and sordid purposes. It only now remains for me to move the Resolution, fixing the Income Tax at 3*d*. in the pound.

Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-three, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):

For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Three Pence;

And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,

For every Twenty Shillings of the annual value thereof;

In England, the Rate or Duty of One Penny Halfpenny; and

In Scotland and Ireland respectively' the Rate or Duty of One Penny Farthing;

Subject to the provisions contained in section twelve of the Act of thirty-fifth and thirty-sixth Victoria, chapter twenty, for the exemption of Persons whose whole Income from every source is under One Hundred Pounds a-year, and relief of those whose Income is under Three Hundred Pounds a-year."

MR. HUNT wished to ask the right hon. Gentleman how long he proposed that the Exchequer Bills in respect of the remaining half of the Alabama Indemnity should run?

THE CHANCELLOR OF THE EXCHEQUER: We hope that we shall not have to make use of the Exchequer Bills at all; but if we are compelled to have recourse to them they will only be for short dates, and in that case the operation would have the practical effect of deferring the payment of the remaining half of the Indemnity until next year.

MR. WHITE said, it had been for some years his practice to follow the Chancellor of the Exchequer on these occasions, and to make certain stringent, although not ungenerous comments, upon his Financial Statement. On every former occasion he had ventured to point out that the right hon. Gentleman had systematically under-estimated the incoming Revenue—as its out-turn uniformly proved—to the extent of some millions per annum. This year, however, it was quite otherwise, so all he could do was to express his satisfaction at the speech to which they had just listened, and which, he believed, would be generally approved. The Income Tax had lately attracted rather a large share of the odium which was inseparable from direct taxation; but he believed that this display of opposition in certain localities had been caused, thanks to the right hon. Gentleman, in a great degree—as the Commissioners of the Inland Revenue alleged in their last Report—by its having been suddenly raised in 1871 from 4*d*. to 6*d*. in the pound. In dividing his available surplus between direct and indirect taxation—reducing the Income Tax to 3*d*. and taking off half the sugar duty—the right hon. Gentleman had adopted the fairest and wisest course under existing circumstances. The right hon. Gentleman must, however, forgive him if he could not join with him in exulting over the large reduction that had been made in the amount of the

National Debt during the past year. In thus reducing the Debt £6,000,000, he thought the right hon. Gentleman had in some degree trespassed upon the domain of Parliament, without whose consent, by means of his under-estimating the accruing Revenue, this large sum had been surreptitiously appropriated for that purpose. The question of the propriety of permitting any Chancellor of the Exchequer to exercise such a power as this was one that well deserved the serious and early attention of Parliament. That distinguished and enlightened statesman, the late Lord Grenville, had said in 1827—

> "To determine whether any or what portion of national wealth shall at any time be withdrawn by taxation from private use for the reduction of the National Debt is not a question of abstract science. No decision can more essentially depend upon the contingent and fluctuating considerations of ever-varying circumstances. None, therefore, can be fitter to be reserved for the annual consideration of a wise and cautious Legislature."

In 1855 the right hon. Gentleman at the head of the Government — questioning the policy of any Parliament dictating or uniformly following some prescribed or anterior rule for the appropriation of public moneys in liquidation of National Debt—used these words—

> "Upon what principle was the Parliament of 1855 to say that £1,000,000 a-year must be applied in a particular way by the Parliament of 1860 or 1870? They were there to find supplies and money to meet the national exigencies for our own times, and not for the time of our children. That was not their business. . . . . Parliament would do much better to rest satisfied with the performance of its own duty, and not undertake to lay down a particular policy for a future Parliament."—[3 *Hansard*, cxxxvii. 1634.]

The Public Accounts Committee had recommended that the whole system of the appropriation of any accruing Surplus of Income over the Expenditure to the payment of the National Debt should now be revised. The right hon. Gentleman was himself aware that the present system was obviously delusive. The large amount in the past year of the Excise Duties might be attributed to a great increase of the expenditure of the people. Many of the working classes now received higher wages, which enabled them to increase their comforts. If the agricultural labourers were paid at a reasonable rate we should see a still greater augmentation of the Excise Revenue. If their wages were increased 3*s.* per week he believed that would lead to an annual increase in the Excise returns of quite £2,000,000. Our financial prosperity was intimately associated with the earnings of the working classes. The Chancellor of the Exchequer had talked exultingly of the diminution of our Debt. What was the amount of that National Debt? Why, it was £786,000,000; but if it were now as much as £800,000,000, it would still be less than the total amount of the National Income. If the Chancellor of the Exchequer did abolish £25,000,000 of the National Debt, the interest that would be saved by that abolition amounted — it should be remembered—to less than a half-penny in the pound of the Income Tax at present. He (Mr. White) need not say that if £25,000,000 had been appropriated to the further remission of taxation on tea, sugar, coffee, and other articles of domestic consumption, it would have led to an enormous increase of our foreign trade and home industry, and, moreover, must have diffused increased enjoyment and comfort in every household, however humble, throughout the land.

Colonel BARTTELOT said, he would have abstained from offering any remarks on the Statement of the right hon. Gentleman if he had not on the Paper a Notice of Motion with regard to the malt tax. Upon a former occasion he had "run Malt against Sugar," that was the term popularly applied to it. That was when the present Prime Minister was Chancellor of the Exchequer that he brought forward that Motion; but he had not the sympathy of the House with him then, for he was beaten by something like 3 to 1 in the division which took place upon the question. He understood that the amount of duty which the Chancellor of the Exchequer proposed to take off sugar was £1,430,000. Although that was a considerable sum, yet, having regard to the amount that was now raised by the malt tax, he (Colonel Barttelot) did not think it would be wise or prudent when the Resolution to effect that reduction was put to the House to run malt against sugar. This much, however, he would venture to say—that, although no Chancellor of the Exchequer of late years had ever attempted to deal with the question, except his right hon. Friend the Member for Buckinghamshire (Mr. Disraeli), yet no hon. Member had ever asserted in his place in that House that the malt tax was a fair and a just tax. If the Chancellor of the Exchequer were to deal with the malt tax as he dealt with the sugar duty, the result would be exactly analogous — there would be a better class of beer throughout the country, and the revenue would not be diminished. Therefore, he thought the Chancellor of the Exchequer ought not to have passed by in silence the claim with reference to the malt tax. Notwithstanding the influential deputations which had appealed to the Chancellor of the Exchequer, he did not vouchsafe to say a word on the subject on this occasion. He was afraid the agricultural interest was not one which much interested the right hon. Gentleman, because on previous occasions it had been entirely ignored by him. As to the income tax, he did not think the right hon. Gentleman had fairly dealt with it. No doubt, he said, he would take off 1*d*. That would be a most popular remission of taxation. But he had not entered into the question of the collection of the tax under Schedule D, and that question had been raised throughout the length and breadth of the land. He (Colonel Barttelot) well recollected that he went with a deputation on that subject to the right hon. Gentleman, and that he was the only man who ventured to tell him that he was perfectly right in maintaining the tax, and also in maintaining Schedule D; but that the way in which the collections were made under that Schedule deserved some consideration by him. Schedule D pressed most severely upon the lower branch of the middle-class, and upon the larger class of tradespeople; and the tax was raised in a very arbitrary manner, and to an amount, in the case of small tradesmen especially, which was unfair and unjust. No doubt the assessors thought they might gain favour at headquarters by raising a large amount from the tax.

The CHANCELLOR of the EXCHEQUER observed that the assessors were not the parties to whom the remark of the hon. and gallant Gentleman applied.

Colonel BARTTELOT: It was a mistake on his part to say it was the assessors. It was really the Government surveyors that were to blame in the matter. The assessors had a most difficult task to perform in doing what was right and fair. He had never as an Income Tax Commissioner, when he thought the assessment had been raised arbitrarily, entertained it; but, on the other hand, if he thought that the assessment ought to be raised, and it was clearly shown that a man was doing a better business than he himself returned, then it was for him to prove that he was not earning the money upon which he was taxed. The class, however, to which he had referred felt the tax exceedingly. Their complaint was that the tax was arbitrarily imposed upon them without any proper justification. They went further than that; they looked at the upper classes—at the large bankers and at the large brewers. They looked east of Temple Bar, and saw the enormous incomes which were being made there. ["Oh, oh!"] He might be wrong in his statement; but looking at the enormous incomes which were realized in this country, and the enormous profits which were made in large businesses, and then looking at what the returns for income tax were, the classes to which he had alluded thought that the richer classes did not pay anything like the same proportion as the smaller men who could not so well afford to appeal, and who did not, perhaps, care to prove that their business was not so flourishing as was believed. One of the great grievances of the income tax was that it was not meted out evenly between the higher class and the lower middle class, and that many of the former were exempted from paying on the enormous incomes which they were making. Large incomes were never made so easily as they had been made of late years; and although the income tax had largely increased, it had not grown in the proportion of the incomes that had been made during the last 20 years. He had no doubt that this remission of 1*d*. in the income tax would be most popular; but he wished that the right hon. Gentleman had made some little concession in regard to Schedule D, so that it might have been collected in a fairer and easier manner. He did not advocate the repeal of the income tax, because he thought it was necessary that its machinery should be preserved. The Chancellor of the Exchequer did right in reducing the tax, and he hoped the right hon. Gentleman would be able to reduce it again; but if he would repair the defects of the machinery he would confer a great benefit on the people. With regard to the remission of sugar duty, he understood that the right hon. Gentleman would take care that it should be kept at such a rate as that it would not interfere with malt. The use of sugar in brewing would largely increase, and it should be fairly taxed as compared with malt.

Sir WILFRID LAWSON observed that the Chancellor of the Exchequer had said, that they must all view the great increase in the revenue from the consumption of drink with mixed feelings. Now, any man of common humanity who had any regard for the well-being of the people of this country must look upon this enormous increase with feelings of unmixed regret. It had been said with great force that they had drunk themselves out of the *Alabama* difficulty. That might be a very clever proceeding, but was it right? There was only one man who wished his countrymen should drink more—the senior Member for Derby (Mr. M. T. Bass)—and his wish was not that they should drink more spirits, but that they should drink more bitter beer. They ought not to discuss this question in a hard-and-fast way, as though they were a set of tax collectors, rejoicing at every method of raising revenue. They should take a more comprehensive view of the subject, and study the happiness of the whole people. Was there anything to rejoice at in the Prosperity Budget which had been introduced that night? A former Chairman of the Board of Inland Revenue, being told that a certain tax was bad for the morality of the country, said—"Thank God, I have nothing to do with the morality of the country!" He (Sir Wilfrid Lawson) hoped the House would not endorse that opinion. The officers of the Inland Revenue did their duty ably and well; but if they were asked which they conceived to be the great end of Man, they would answer—"to consume the greatest possible amount of duty-paid spirits between the cradle and the grave." If the Bill introduced by the hon. Member for Bath (Mr. D. Dalrymple), dealing with habitual drunkards, passed, what would become of the Chancellor of the Exchequer? There were 33,000 habitual drunkards in England, and if they were all shut up what would be the consequence to the revenue? The habitual drunkard was the sheet anchor of the British Constitution. The Government and the Legislature of the country had allowed 150,000 tax gatherers to be commissioned to collect taxation through the means of selling drink. In short, Cowper's lines were still as applicable as ever—

> "Ten thousand casks
> For ever dribbling out their base contents,
> Touch'd by the Midas finger of the State,
> Bleed gold for Ministers to sport away.
> Drink, and be mad then; tis your country bids!
> Gloriously drunk obey th' important call!
> Her cause demands th' assistance of your throats;
> Ye all can swallow, and she asks no more."

The system of collecting a large proportion of their revenue by sending out these tax gatherers was a system which was mean, cruel, and short-sighted, and fraught with evil to the State. They had an enormous revenue to raise, and the Government of the country, finding that there was something which was very injurious to the people, and which they were very fond of drinking, proposed to check its consumption by putting upon it high duties, and they sent the tax gatherers to whom he had alluded to all parts of the country, especially the poorest, to collect the revenue for them. In his Budget speech of 1865 the Prime Minister said—

> "Now, if you want to mark your high moral indignation at the use of spirits through the imperfect, yet not by any means wholly ineffective medium of fiscal arrangements, I think you cannot well go further than a rate of taxation under which, whenever a man is disposed to lay out 5*s.* in this commodity, he only gets at the outside 1*s.* worth of spirits for it, while the other 4*s.* go into the Exchequer."—[3 *Hansard,* clxxviii. 1119.]

It was said that this was voluntary taxation. ["Hear!"] But if the hon. Member who cried "hear" set a trap and a rat walked into it, was that step quite a voluntary one on the part of the rat? The State enticed these people to drink, taking advantage of their vicious habits, and then thought it could satisfy its conscience by talking of the voluntary taxation incurred by the people of this country. They could not say that this increase had arisen from prosperous well-to-do people. The increase on foreign wines had been 3½ per cent, the increase on foreign spirits 1½; but when they came to British spirits, gin included, the increase was 11 per cent, and on beer 13 per cent, showing clearly that the very great increase had arisen from the poorest of the people. The hon. Member for Sheffield (Mr. Mundella) had given them when considering the Education Bill the result of a tour through the slums of London; he graphically described the wretchedness and raggedness of the children, and asked where their parents were. He told the House they were in the gin and beershops which their legislation had put up. There was too much truth in this. The leading journal had accurately characterized public-houses as instrumental in degrading, brutalizing, and demoralizing a large portion of our people; our increased revenue, therefore, meant increased degradation and demoralization among our poorer fellow-countrymen, and no one anxious for the welfare of the people could regard this increased consumption of intoxicating liquor without pain. The high wages which had been received were a curse rather than a benefit to those who received them. He did not wish, however, to have the duties on spirits raised to a large extent. He hoped that the Committee would look into the matter and find some means of removing the vice which existed in the country.

MR. R. N. FOWLER said, that he must remind his hon. Friend (Sir Wilfrid Lawson) that so far as the action of the Chancellor of the Exchequer was concerned with respect to the evil complained of, the result was to repress the consumption of spirits. He had not heard anyone in the House advocate the reduction of the duty on spirits. If they advocated more drinking they would come and ask the Chancellor of the Exchequer to take the duty off spirits. But he would venture to submit to his hon. Friend that the proper time to discuss the question was when he moved the second reading of his Bill. Since the period during which the right hon. Gentleman had been in office, the country had been in a state of great prosperity, and he thought this was the time when they ought to take an opportunity of reducing our National Debt. He was glad to hear that the right hon. Gentleman proposed to pay off one-half of the Alabama Claims out of the surplus. He wished he had proposed to pay off the whole. The next year and the year after the right hon. Gentleman might find himself compelled to ask for an increase in the income tax, as he thought it was not certain that the present prosperity would continue, and that therefore the revenue might diminish. Let them look to what had been done on the other side of the Atlantic. He was no admirer of American institutions, but in one respect they set us a great example, and that was in the great efforts which they had made to pay off their Debt created by the civil war only a few years ago. They were rapidly paying off that Debt, while we, having had nearly 60 years of peace, had gone on making infinitesimal efforts to reduce our National Debt.

MR. J. B. SMITH said, he did not concur in the censure passed upon the Chancellor of the Exchequer by the hon. Member for Brighton (Mr. White), on account of his efforts to reduce the National Debt; on the contrary, in his (Mr. J. B. Smith's) opinion, there were circumstances in their present position which gave rise to grave reflections as to the course which it would become their duty to pursue in the disposal of any future surplus revenue. The Prime Minister, in a recent remarkable speech, observed that "we live in a wealth-making age," and he expressed the opinion that they had accumulated more wealth since the commencement of the present century that in all the preceding ages from the time of Julius Cæsar. Assuming that to be a reasonable estimate of the marvellous increase in their wealth, and he (Mr. J. B. Smith) did not see any reason to question it, it became an interesting and important inquiry how it was that they had been able to accumulate that enormous wealth. There could not be a doubt that their extraordinary prosperity during the present century had arisen from the possession of vast supplies of coal and iron, which had given their manufacturing skill and industry advantages over all other countries. In fact they had up to the present time enjoyed a comparative monopoly of those important minerals. It would be folly, however, to shut their eyes to the progress of other countries, and to flatter themselves that they could for ever retain that monopoly. Already they saw the dawn of a rivalry which they must meet as best they could. Sir Charles Lyell stated that the coal fields of America extended 700 miles from east to west, and covered a larger surface than all England. Hitherto

America had chiefly devoted herself to the development of her agricultural resources, but with the enormous increase of her population by immigration—which now exceeded their own, and was calculated by the close of the century to reach 100,000,000—she was turning attention to the development of her other resources, and the progress she had made in wealth, was even more extraordinary than that of the Old Country. That progress would be best exemplified by the consideration of a few facts. Not a mile of railway was made in America until after railways in England had become an established success, but on the 1st of January last, America had 70,000 miles of railway in operation, and 7,000 miles more in course of construction, which would be in operation this year; while England had only 16,000 miles of railway in operation. The American cities were formerly lighted with gas made from English coal, and when railways were first built there, they were worked with English coal or with wood; now they were all worked with American coal. The produce of coal in America last year was 42,000,000 tons, but great efforts were now being made to work mines in different parts of the country, but especially in Virginia, which was said to possess the richest coal mines in the world, and railways were in course of construction to bring coals to the outports. At the present moment coals were cheaper in America than in England, and it was hardly an exaggeration to say that they were "sending coals to Newcastle," since they had the extraordinary spectacle of the depôts of the Royal Navy in the West Indies, South America, and Ceylon being now supplied with American coal, because it could be bought at a less price there than at Newcastle. There could be no doubt that the same causes which induced manufacturers in this country to settle in the neighbourhood of coal would equally operate in all other countries where coal existed, and those would become the greatest manufacturing countries, as population increased, where coal and iron most abounded. Now, seeing that that which had hitherto been the chief source of their wealth had nearly doubled in price within a year, was it not time to ask themselves — "Was their coal supply approaching exhaustion?" If so, ought they not, in considering how they should dispose of the present or any future surplus revenue to remember that they had still a National Debt amounting to £800,000,000? But, at all events, if their coal supply should yet last for some generations they were now for the first time exposed to competition—a competition, too, with an energetic and enterprising English race, and would it not be the height of folly, so long as their wealth was enormously increasing, not to reduce burdens, the relief from which would the better enable them to meet the inevitable competition which awaited them. With these views he (Mr. J. B. Smith) would have been better pleased if the Chancellor of the Exchequer, instead of taking one penny in the pound off the income tax, had increased it by two pence. There never was a period in their history when taxation bore so lightly upon the people in proportion to their means as at the present moment, and he therefore deprecated any reduction in taxation which would diminish the means of reducing their enormous National Debt. Let them remember and follow the good example of their fathers, who, in spite of the exhaustion arising from a long and expensive war and a debt of £900,000,000 in 1815, were so impressed with the moral obligation of those who contracted debts to make some efforts towards discharging them, that they resolved to set aside an annual sum for the reduction of the National Debt, which was reduced in the following 15 years by £60,000,000. Upwards of 40 years had since passed, and notwithstanding in that period the nation, according to the estimate of the Prime Minister, had accumulated an incalculable amount of wealth, it had nevertheless allowed the National Debt still to amount to the enormous sum of £800,000,000. Let them contrast that with the noble efforts of their race in America, who, since the 1st of February, 1866, had paid off upwards of £161,000,000 sterling of their National Debt, being at the rate of £23,000,000 per annum, whereby they had saved upwards of £9,000,000 a-year in the annual charge for interest on their debt. If, since the war of 1815, they had paid off their debt at half the rate the Americans had done, their National Debt by this time would have been nearly extinguished. He knew that that line of argument would not be popular with the unthinking clamourers for reduction of taxation out-of-doors, and it might be even with some of his own constituents, but the time had arrived when they could no longer safely delay the reduction of their National Debt, and the question was one which hon. Members ought not to avoid for the sake of a little temporary popularity; it was one on which he felt it his duty freely to speak his mind, and to pursue the course which he deemed best suited to the permanent interests of their country.

Sir GEORGE JENKINSON said, he had watched Budget after Budget, but had never heard one proposal from the right hon. Gentleman the Chancellor of the Exchequer in favour of any remission especially in favour of the agricultural interest. The Committee had been told that the past year was one of unexampled prosperity, and so it might have been for trade and for drink, but not for the agricultural classes. The loss from foot and mouth disease throughout Great Britain amounted to not less than £12,000,000, and this had fallen entirely upon agriculture. There had been a season of unexampled wet weather last summer, which had caused a bad harvest, and it had been impossible to get in the seed last autumn for the harvest of the coming year. There had also been an enormous rise in the wages of labour, and although that might have been a fortunate thing for the Chancellor of the Exchequer in causing a rise of £5,000,000 in the Excise, chiefly in the article of drink, still it was anything but an advantage to the class he had the honour to represent. All these losses combined had made the past year a most disastrous one for the agricultural interest, and there was at present no hope of improvement. The right hon. Gentleman had admitted that the malt tax was a grievance, and yet, although his surpluses during the last four years had exceeded in the aggregate £16,000,000, and although the Chancellor of the Exchequer had admitted that he had taken off £9,000,000 of taxes during the last four years, and was now going to take off upwards of £2,000,000 more, he had made no proposal to take off the malt tax. That matter ought to be seriously pressed on the attention of the country when the proper time arrived. In the year 1870 the Chancellor of the Exchequer admitted that that tax pressed heavily on the agricultural classes, and yet, notwithstanding he had during the last four years remitted taxes to the amount of £9,000,000, he had done nothing to relieve the agricultural classes. He trusted that these things would be borne in mind at the next General Election, and that the farmers and the agricultural classes generally would mark their sense of the neglect under which they were suffering. He could not understand why the Alabama Claims should all be paid in a single year, when the new Rules could only be for the advantage of posterity, if indeed they ever proved to be for the advantage of anybody. He considered it a great shame that such a course should have been taken.

Mr. M'LAREN said, he thought there must be an entire revision of the income tax by any Government who wished to administer the finances of the country with fairness and justice. It was most unjust to maintain Schedule D in its present relation to Schedule A, treating terminable income depending on health and strength as equal to an estate in land. When a man who had an income of £1,000 a-year from landed property died, his widow and children were left as well off as before; but when a professional man, earning £1,000 a-year from his own exertions, died, his income died with him. To say that those two men were in the same position, and that they ought to be taxed equally, was a perversion of everything that was morally just. If there could not be an entire revision of the principle on which Schedule D was framed, that was no reason why when there was a reduction in the tax some further reduction should not be made, perhaps of an extra penny in the pound in the case of those who paid under that Schedule. That would perhaps be a rough mode of meeting the difficulty, but he thought it would only be just.

Mr. CORRANCE said, he had no doubt the Chancellor of the Exchequer had more money than he knew what to do with, but he had one means of getting rid of it that he had not contemplated when he last submitted his Budget to the House. No one would dispute the entire appropriateness of devoting a portion at least of his surplus in payment of the Alabama Claims. It was difficult to challenge the Budget of the right hon. Gentleman, for he stood on the very apex of prosperity. He had every right to be generous with the money which belonged to him—he had every right to take advantage of miscalculation; but before a man was generous it was usually convenient to be just. There had been a considerable increase in the malt duty, and what he asked was that there should be a restitution of that increase before the right hon. Gentleman proceeded to distribute his favours in the remission of other taxes. He had reduced the duty on sugar, and there was a close relation between the tax on sugar and the tax on malt. The right hon. Gentleman should not have disturbed that relation; at all events, his having done so established a very considerable claim in respect to malt. The right hon. Gentleman had shown in regard to coffee that the remission of part of the duty was attended with no loss to the revenue. Why had he never applied that principle to the malt duty? The right hon. Gentleman might gain a certain amount of popularity by taking a penny off the income tax; but, after all, that tax fell on those who were not more deserving of sympathy than the agricultural classes, for whose benefit no relief was proposed.

Mr. CRAWFORD said, he would not detain the Committee by referring to the various questions introduced into this discussion by the hon. Member for Stockport (Mr. J. B. Smith), but would come at once to the principal matters brought before them in the Budget of the Chancellor of the Exchequer. He would therefore say at once that if one thing more than another struck him with regard to the Budget it was this—he could not help thinking and fearing that the Chancellor of the Exchequer had taken too sanguine a view of the income of the coming year. It was impossible for any one to observe what was going on in the country without bringing his mind to the conclusion that we might not have during the coming year such a season of prosperity as during the past financial year. We could not expect to see our iron manufactures exported on so large a scale so long as coal continued at so high a price. He could not understand how any one could at present anticipate that we should have such a season of prosperity as we had recently passed through, and all he could wish was that the Chancellor of the Exchequer might see his expectations realized. Assuming that they might be, he approved of the proposed method of disposing of the surplus. He was also of opinion that the course taken by the Chancellor of the Exchequer with regard to the Alabama Claims was wise and prudent, and that he had acted judiciously in relieving the country of a portion of the burden in respect of the sugar duties. He could not agree with the hon. Member for Carlisle (Sir Wilfrid Lawson) that the reduction of the income tax was a sop to the rich, because it had always been held that the middle classes were the principal sufferers from the income tax. He must join in the warning given to the Chancellor of the Exchequer against the increasing dissatisfaction of the public with the income tax, and especially with the manner in which it was assessed under Schedule D. The income tax had served a great purpose, and he hoped it would be retained as a part of our system of taxation; but many representations had been made to him of the manner in which persons engaged in trade, and others not in trade, but possessed of small incomes, had been persecuted in relation to Schedule D. As an illustration, he might refer to one of the cases which had been described to him. In this instance a man who had been a captain of a ship in the employment of the owners of several vessels, being desirous in his old age of leaving the service, was provided on shore with an appointment to look after the vessels of his employers. For this he was paid £150, and on receiving the tax-paper he entered his income fairly and truly at that amount. He was assessed at £300; he appealed to his employers, who assisted him, and got him taxed at his real income of £150. The next year, however, when he made a return of £150, as before, he was charged at £400. This, he held, was simply a piece of tyranny, and the case was one of many which had been brought under his notice. Unless something was done to make the levying of the tax under Schedule D less obnoxious, the growing dissatisfaction would lead to something serious. He had many brewers among his constituents, and some of them had asked him to represent the unfairness of the brewer's licence. It was originally imposed as a substitute for the hop duty, but it produced much more, and the brewers felt that it was unjust that after a lapse of 20 years they were still made to bear the whole burden of the remission of that duty. It was 3*d.* a barrel, and represented about 3 per cent of the value, so that it was an income tax added to that which the brewers paid. He did not mean to represent the brewers as a long-suffering and ill-used race. No doubt they were prosperous, but it must be remembered that although the House had experience of those brewers to whom fortune had been kind, there was a large number engaged in the same occupation to whom this was a grievous burden. Another objection to the tax was that it was in the nature of a trade licence, which existed in hardly any other business. As to the National Debt, he was in favour of its gradual and continuous reduction. The Chancellor of the Exchequer had wisely named a distant day for the operation of the new sugar duties; but he feared inconvenience would result to refiners, who were now without stocks of raw material, and who could not, of course, buy in at present rates.

Mr. GREENE feared it was impossible to create any sympathy for that ill-used class the brewers, upon whom the shilling tax was imposed in the hope that the reduced price of hops would enable them to recoup themselves; but hops had been dearer since the repeal of the duty. Why the brewer should pay a licence for the repeal of that duty any more than other manufacturers he could not conceive. The brewer held no monopoly, and any one could enter the business. He could not recoup himself by putting the price on the beer, because the least addition which could be made to the retail price was a farthing per pint, which, of course, would be an injustice to the consumer; and, with the increasing cost of commodities, this shilling duty was becoming more and more burdensome. There were taxes which pressed much more heavily on the people even than the taxes on sugar; and he thought that if the Government had possessed more discrimination and determination we should not have had to pay the Alabama Claims. The Chancellor of the Exchequer had left to his successors in office, from whichever side of the House they might come, a task which they would find it difficult to execute. Undoubtedly, we had enjoyed great prosperity, and there had been a large increase in the Excise; but his opinion was that the people had spent their money readily, on the "Easy come, easy go" system, and he did not believe the revenue of the coming financial year would at all approach the estimate of the Chancellor of the Exchequer. A more dangerous calculation he had never heard made on either side of the House. Instead of reducing the sugar duty, the right hon. Gentleman had much better have taken another penny off the income tax, which weighed heavily on people with small incomes, or a shilling a barrel off the brewer.

Dr. LUSH remarked that on an occasion when the Chancellor of the Exchequer had made great remissions of taxation it was rather an ungracious thing to criticize the mode in which that object had been attained; but his experience during the Recess convinced him that the question of the income tax would require in that House a better answer than had been given to it by the right hon. Gentleman, or by any of his predecessors in the office of Chancellor of the Exchequer. To-night the right hon. Gentleman had assigned no reason whatever why the different Schedules of the income tax should be maintained in their integrity, but simply declared his intention of maintaining that integrity. Belonging, as he did, to a class of men who derived their whole incomes from the efforts of their hands or brains, he felt bound to enter a protest against the the continuation of that system under which the earnings of a professional man were assessed at the same rate as realized property. It was impossible for any one who had had experience of the matter to feel otherwise than that the tax was unjust and improper. Assuming that an income of £500 a-year was derived from the Funds, it might be assumed to be worth 30 years' purchase; but, in the case of a man who earned a professional income, it was impossible that he could be sure of more than two or three years' purchase. This circumstance was in itself sufficient to show that there existed an essential difference in the value of the two incomes, and that to assess them both at the same rate was unjust. Moreover, this argument was strengthened by the consideration that a professional income was dependent on the good health of the person earning it. Years ago the income tax was as high as 1*s*. 2*d*. in the pound, and at such a period it would doubtless have been very difficult to remit the tax; but now, when the tax was so low that it really was a matter of sentiment rather than of pressure, an investigation might be suitably made. He believed that a grave dislike existed to this tax apart from the mere dislike of taxation, and he hoped the Chancellor of the Exchequer would consider the arguments which had been brought to bear against the present system.

Mr. CLARE READ said, they had heard of various reductions of the sugar duty. In 1870 the Chancellor of the Exchequer, after announcing his intention to reduce the duties on sugar, stated that as far as he was concerned there was an end of the reduction, and that the proposal then made might be regarded as something like finality. Yet after a lapse of only three years the right hon. Gentleman actually proposed to reduce the existing duty by one-half. For his own part, he wished the Chancellor of the Exchequer would try his hand at malt. These constant reductions of sugar might be very good, but surely the time had arrived when something might be done on behalf of malt. The Chancellor of the Exchequer had shown that while the duty on spirits had increased £1,300,000, the duty on malt had only increased £400,000. Now, when it was considered that the latter increase was made up principally by a very large proportion of sugar being used in brewing, rather than barley, and that, in consequence of the bad harvest in this country, the duty had been chiefly paid on foreign barley, he thought he was justified in saying that the British farmer had not received fair treatment at the hands of the Chancellor of the Exchequer. He represented an essentially barley-growing county (Norfolk) where the duty on malt came to something like 25*s*. on every acre of arable land. It was very astonishing that the right hon. Gentleman had made no provision for any reduction or remission of local taxation, considering that last year a majority of 100 in that House declared it to be the duty of Government to make some provision for the expenses paid by local authorities. It appeared to him extraordinary that with an abundant Exchequer and the most fruitful revenue ever known, and after so deliberate and determined a vote of the House of Commons, no remission of local taxation had been made.

Mr. GRIEVE congratulated the right hon. Gentleman on his Budget, as a whole. He thought, however, that the whole question of the income tax ought to have been considered before a reduction was made, and that if any remission were granted it ought to be under the head of Schedule D. With regard to the reduction of the sugar duty, he quite approved it, but thought it would scarcely reach the large consuming classes, because it would be impossible for the retailers to split up a farthing. The reduction would certainly surprise the trade, and the fact that it was not to take effect until the 8th of May must throw the whole trade into confusion. He hoped the right hon. Gentleman would, in this instance, follow the course taken on a former occasion, allow the law to take effect immediately, and give a drawback on the stocks as before.

Mr. W. FOWLER said, as he understood the Report received from the Committee of Public Accounts, it was by no means clear what was the actual amount taken from Post Office revenue for the payment for telegraphic services, and what had been taken from the money due to the Savings Banks Commissioners. If that was still a matter of uncertainty, it was far from clear what was the actual revenue of the Post Office for the present year, and, if so, the total revenue of the nation for the year was also uncertain. As they were told this evening by the Postmaster General that the question to which he had referred could not be at present cleared up, he should like to hear from the Chancellor of the Exchequer the best explanation of the actual state of the case. They had heard a good deal to-night about the existence in this Budget of over-estimates of revenue with regard to the future. Well, he came down to the House prepared to find fault with the Chancellor of the Exchequer for the contrary error, and for having drawn from the people of this country a far larger amount than he really required. He, for one, would rather see the Chancellor of the Exchequer occasionally compelled to borrow a small sum than habitually taking out of the pockets of the people a very large sum which he did not want. During the four years that the right hon. Gentleman had been Chancellor of the Exchequer he had had an average surplus of from £2,000,000 to £3,000,000 a-year, and he was not prepared to blame him for a change of proceeding in this respect. And now as to the mode of collection adopted by the Chancellor of the Exchequer, which might be said to be a peculiar and private invention of his own. It had been the custom of this country for a long time past to endeavour to make the collection of the taxes by the Government as even as possible by spreading it over different periods of the year, and various processes had been invented by different Chancellors of the Exchequer to avoid the great inconvenience of having vast sums heaped up doing nothing at particular seasons, and the Government short of money at other times of the year. A few figures which would throw light on the plan of the Chancellor of the Exchequer might be interesting. In the year 1869 he told the right hon. Gentleman that his mode of collecting the income tax and the assessed taxes in a lump not only bore heavily on the taxpayers, but was exceedingly inconvenient as a matter of finance. From the first Return of the Bank of England in the month of April for the different years it would be found that in the year 1868 the Public Deposits for this period of the year were £6,900,000, the other Deposits of the Bank which represented its ordinary business were £20,200,000, and the other securities which represented the investments of the Bank, other than Government securities, were £20,600,000. In 1869 the Public Deposits were £7,800,000, the other deposits £17,400,000, the other securities £20,000,000. Then came the new mode of collection, and under it the Public Deposits rose in 1870 to £11,200,000, the other deposits were £17,100,000, and the other securities more than £21,100,000. In 1871 the Public Deposits were £10,500,000, the other deposits £20,000,000, and the other securities £22,800,000. In 1872 the Public Deposits were £12,700,000, the other deposits £19,200,000, and the other securities £25,900,000. This year the Public Deposits were £15,800,000, the other deposits £19,700,000, and the other securities reached the enormous sum of £28,800,000. Now, making every allowance for the great development of business in the country, the Committee would observe that while the other deposits, representing the ordinary deposits in the Bank, remained almost stationary, the Public Deposits had become enormous, and had taken with them the other securities. As far as he was concerned, this state of things was a source of emolument to him; but, nevertheless, he held that it was a most inconvenient system of finance that there should be these enormous sums taken out of the pockets of the taxpayers of the country and heaped up in the Bank of England, doing nothing except adding to the profits of the Bank. The Bank of England, as the House was informed last year by the hon. Member for the City (Mr. Crawford) was absolutely indifferent about the matter; but a mode of collection which left so large a sum of money absolutely unused, so far as the Government and the public were concerned, involved a very unsound system of finance, and with a machine so delicate as the Money Market such a plan would one day or another produce very inconvenient results. Another point which had a great claim on their attention was the manner in which the railway interest was taxed. He thought that that interest had not received the justice from the House to which it was entitled, because not only were the shareholders heavily taxed as owners of real estate during their lives, but when they died their property was treated as personal property, and made to pay taxes from which heritable property was exempt. In the taxation of railways, the vast amount representing rails and sleepers was treated as part of the freehold for purposes of assessment, and the companies were not allowed to deduct anything in respect of them, although they were unquestionably as little part of the land as rolling stock. That would never be altered, except by a Vote of this House, and it was time that the Chancellor of the Exchequer should see that something should be done to lighten their burdens, as a large share of the stock was held by poor people. The income tax ought not to be dealt with as a question affecting rich people only; it affected the very poor as well, and therefore the most anxious consideration ought to be given with the view that the rich should not be let off lightly and the poor unduly taxed. An hon. and gallant Gentleman (Colonel Barttelot) had charged people east of Temple Bar with giving in deceptive returns, as if those who lived on that side were rogues and scoundrels. But he defied the hon. and gallant Gentleman to prove it. He was aware that the Returns to be found in the Library gave most extraordinary instances of fraud; but that was not confined to the east of Temple Bar, and he ventured to say that some professional gentlemen to the west were not immaculate. He wished to say a few words as regarded the reduction of the National Debt, and the payment of the Alabama Claims. He thought that the Chancellor of the Exchequer had adopted a wise course. He (Mr. Fowler) was not one of those who felt intense anxiety as to the reduction of the Debt. It might be perfectly true that when people were prosperous they should reduce their obligations; but in national matters they must not forget whom it was that they had to charge. They had to tax poor people as well as rich, and this being so it became a question whether the rapid reduction of the Debt was a sound and true policy. He did not say that at present they were going too fast in this direction; but if asked to go much faster he should hesitate. He believed that the savings of the country were so enormous that those who lived 20 years hence would be far more able to pay the Debt than those of the present time were. He agreed with the hon. Member for Carlisle (Sir Wilfrid Lawson) that the maintenance of enormous military establishments was incompatible with a large diminution of taxation, and if these were necessary we must go on spending £70,000,000 a-year. He did not agree with the hon. Member as to the Permissive Bill, for he believed legislation could not prevent indulgence in intoxicating drinks, but the Imperial revenue accruing therefrom could not be matter for congratulation, and he would remind hon. Members opposite that the existence of a great revenue from this source must involve an increase in local taxation because rates were largely affected by the vast expense caused by pauperism and crime. He was glad the Chancellor of the Exchequer had altered his mind respecting the sugar duty since 1870, and, on the whole, he could congratulate him on his Budget.

Mr. G. BENTINCK agreed that it was impossible to make men sober by Act of Parliament; and he was glad to hear so sound a statement made upon the other side of the House. The hon. Members (Mr. Clare Read and Mr. Corrance) had naturally enough lamented the total indifference that the Chancellor of the Exchequer exhibited in the case of the malt tax. The whole tendency of legislation for the last 40 years had been in favour of the urban as against the rural districts in reference to taxation: and the finishing blow was the Reform Bill of 1867, which placed political power in the hands of the town population. He (Mr. Bentinck) did not look forward with any sanguine hope to the repeal of the duty on malt, and certainly not if the present Chancellor of the Exchequer continued to hold his office. He regretted the off-hand tone in which the right hon. Gentleman had referred to the Alabama Indemnity, for he could recollect a time when an example of human folly and national degradation unparalleled in history would not have been treated as a mere matter of financial arrangement; but he would not then discuss that subject, as there would be another opportunity of doing so—and, he trusted, in a fuller House—when the right hon. Gentleman proposed to take a Vote for the payment of the damages. His main object in rising was to put a question to the Chancellor of the Exchequer; and it was one of vast importance, if his figures were correct? It had recently been stated by a high financial authority in the House that the almost fabulous sum of £6,000,000,000 changed hands in the Clearing House during the last year. He (Mr. Bentinck) did not assert that this sum represented the amount of capital employed in commercial transactions. He said it did not represent the amount of capital embarked in commercial occupations in this country; but it represented an amount of capital such as was not to be found in any other country in the world. He hoped the right hon. Gentleman would inform the Committee what was the amount of capital embarked in commercial enterprise which was represented by the sums of money that passed each year through the Clearing House. Whatever the amount of such capital might be, two things were certain with respect to it—namely, that it was only subject to 1*d*.

stamp duty on transfer, and that it did not contribute in any other shape or way to the rates or taxes of the country. If that were so then he contended the Chancellor of the Exchequer was bound to tax that property in proportion to the burdens which were laid on other descriptions of property. The malt duty at this moment paid 100 per cent and tobacco 500 per cent, and these, he might say, were necessaries of life to the working man. Why, then, was the enormous amount of capital to which he had referred, and which was employed in commercial operations, allowed to escape taxation altogether to the prejudice of the labouring population, who contributed so heavily and in so many ways to the Customs revenue of the country.

Mr. MACFIE agreed with those who had expressed the opinion that in a time of prosperity like the present it was our duty to reduce the National Debt. That policy was advocated warmly by the right hon. Gentleman at the head of the Government, and he only regretted that it had not been carried out on the present occasion. Another objection to the Budget had come from what he might call the temperance interest; but he would remind the hon. Baronet who spoke on that subject (Sir Wilfrid Lawson) that the Budget did a great deal in support of the principles which he advocated by cheapening those necessaries of life which came into competition with strong drinks. Another objection had been urged on behalf of the agricultural classes; but their interests had not been overlooked, as they would be considerable gainers by the reduction of the duty on molasses, which was largely used in the preparation of food for cattle, and also in the reduction of the sugar duties, which would stimulate the cultivation of beet, for which end he should have preferred to see the whole of the duty taken off sugar, rather than that 1*d.* should be taken off the income tax. Rather than miss entire removal of the sugar duty, he considered it would be good policy to add 2*d.* to the duty on tea, if that were the only condition on which so great a a boon could be obtained; for to consumers at the breakfast and tea-tables it would be much the same thing. He also contended that some steps should be taken to prevent foreign refiners from obtaining in the interval of four weeks and a half before the duty on sugar came off advantages of which our own refiners would be deprived, otherwise we should find the market overstocked with large quantities of refined sugar, greatly to the loss of home manufacturers. He suggested that there should be a difference in the time at which the duty should be taken off refined sugar as compared with unrefined, unless the proposition of the hon. Member for Greenock were assented to.

Sir JOHN LUBBOCK said, great complaints had been made of the inequality of the income tax; but he was inclined to believe there were still many who paid less than the law required of them. He did not however dispute that a great improvement in its collection might be made. With regard to what had been said of bankers east of Temple Bar, he would remind the House that they not only paid under Schedule D, but also on the amount of the investments they held. He agreed, also, with the hon. Member for Cambridge (Mr. W. Fowler) in his objection to the collection of so large a portion of the revenue in the early part of the year. When the system was introduced he addressed a letter on the subject to the Chancellor of the Exchequer in the name of the Committee of Bankers, pointing out the inconvenience which would result from it. The committee suggested that some of the taxes should be collected in the latter half of the year, otherwise they feared that some derangement of the Money Market would result. Easy times had been the rule since, and as long as they continued nothing very serious would occur; but in a difficult year this system of pressing so much of the year's taxation into the first three months might cause serious embarrassment. He could not agree with the hon. Member for Cambridge that it was undesirable to reduce Debt because the people were not all rich. It seemed to him that the poorer the country the more desirable it was to regulate the taxes with economy and discretion. He had been much pleased to hear so many advocate a greater reduction of Debt than had been proposed. The Government also had in theory expressed the same feeling. The Chancellor of the Exchequer had thrown most heart into that part of his speech which dealt with reduction of Debt, but his actual proposals were very meagre. He had said, indeed, that the Debt would be decreased by £6,000,000 during the year; but a considerable proportion of that reduction would be produced by the surplus revenue of the year just closed, and the total actual reduction of this year contemplated by the arrangements the Chancellor of the Exchequer proposed would be under £1,000,000. The remission of taxation he proposed and the half of the Geneva Award would swallow up almost the whole surplus estimated revenue; and the hon. Member for the City (Mr. Crawford) had expressed the opinion that the revenue of the year was over-estimated. Still, the figures of the Chancellor of the Exchequer might be taken with some confidence, considering his uniform caution in the past. Our position with regard to debt in the year just opening was, upon the basis of the figures supplied by the Chancellor of the Exchequer, simply this: — £2,500,000 would be paid off by the Terminable Annuity scheme; but then it was proposed to borrow £1,600,000 to pay one-half of the Alabama Indemnity. Deducting one from the other, the net reduction of debt during this current year would be only £900,000. Such a result was unworthy of the House and the country. If it was wise to reduce the National Debt, it ought to be done annually, and on a larger scale. One great element of the nation's strength was its financial position, and he regretted most deeply that it was to go forth to the world that in a period of unexampled prosperity we could not bring ourselves to pay a sum of £3,250,000 without borrowing. How could we expect foreign countries to realise our financial strength if we would not face so small a payment without borrowing £1,600,000? No doubt the Budget would be popular in the country; he had no objection to offer to the proposed reductions, except that he believed the country expected the Alabama Claims would have been satisfied out of the revenue of the year, and it would have been better if that expectation had been realized. It would be better for trade under any circumstances if fewer changes were made in taxation. The hon. Member for Greenock (Mr. Grieve) had stated that the change in the sugar duties would derange the trade in sugar for some time to come. All such changes deranged trade, and it would be a very good thing if the Budgets of the next four or five years were stereotyped, that surpluses might accumulate for the reduction of the National Debt and the permanent burdens of the country.

Mr. WHALLEY regretted that the Chancellor of the Exchequer had disregarded the remonstrances which had been urged in many quarters against Schedule D, and had not explained the grounds upon which he proposed to continue to tax precarious incomes and incomes from property upon the same footing.

Mr. FAWCETT said, the question repeatedly asked during the past week had been whether they were to have a self-sacrificing Budget or a popular one? That question had been answered by the speech of the Chancellor of the Exchequer that evening. They had undoubtedly had produced to them what they looked upon as a popular Budget. For his part, he did not grudge the Government any advantage which might be derived from the popularity thus obtained; but he was bound to confess that many in that House and out of it who placed faith in the financial wisdom of the Prime Minister, and who viewed his enunciation of financial principles as the greatest achievements of a distinguished life, felt no little disappointment. Until they heard the speech of the Chancellor of the Exchequer that night they had confidence that there was one thing, at least, on which the Prime Minister would stand firm, and that was that in a year which they heard constantly described as one of exceptional prosperity, if a claim for £3,250,000 was made upon them, they would not resort to what he would call the almost cowardly financial expedient of paying a portion of that money by borrowing. It was all very well for the Chancellor of the Exchequer to say he hoped he would not have to issue Exchequer bonds for that purpose. That was the language they were certain to hear. If a man had a bill presented to him he said, "Oh, I won't pay it all now; I will only pay half of it. I will wait six months and see—like Micawber—what will turn up." Of course, he hoped he would not have to pay it, and that some fortuitous piece of good luck would fall to him. Now, some reasons might be adduced to show that, considering the estimates which the Chancellor of the Exchequer had made of the revenue, the odds decidedly were that those Exchequer bonds would have to be issued. What was the nature of the Alabama Claim? An analogy could not be drawn between it and a charge incurred for some prospective advantage to be conferred on the country. If they were about to carry out some great public work for the benefit of future generations as much as of the present, they might, if necessary, fairly distribute the payment over a series of years. But the Alabama Claim was a sum they had to pay for a great wrong done some years ago to another nation. Who were responsible for that wrong? People who were then living, and, he was sorry to say, many men who now occupied a prominent position in political life. It having been decided that this money was due from us as a nation, all he could say was that those who lived in 1873-4 were more responsible for its payment than those who might live in 1874-5, or in any succeeding year. Therefore, the honourable and straightforward thing for them to do was to pay the sum at once out of the revenue of the coming year. What a position they would occupy in the eyes of the world! They had been boasting about their extraordinary prosperity; they had exhausted all the language of panegyric to describe their glowing trade, their marvellous exports and imports; and did it all come to this—that they could not pay £3,250,000 without recourse to borrowing, as if they were a half-bankrupt and seriously-embarrassed country? He did not wish unnecessarily to bring a single accusation against the Budget. If they were to have remission of taxation, he was bound to say the Chancellor of the Exchequer had adopted a wise principle in saying that one half of that remission should go to direct, and the other half to indirect taxation. But if the income tax was to be reduced, relief might have been given to the payers of that tax in a somewhat more satisfactory way; and he doubted whether the reduction of the sugar duties was the most advisable mode of remitting indirect taxation. First, as to the income tax, no one could doubt that a very serious agitation was arising against that tax, and no small part of the discontent expressed in regard to it resulted from the unnecessary amount of worry and annoyance caused to the people in collecting it. But the income tax appeared to him to be based on a sound financial principle; and he would venture to offer those who were agitating against it out of doors this piece of advice—that their agitation would prove much more effectual if they confined themselves to attacking the salient points of injustice about the tax, without demanding anything so violent as its total and unconditional repeal, or anything so monstrous as the entire exclusion of Schedule D. Was there ever anything short of expunging the National Debt, or going in for wholesale confiscation, so unjust as a proposition that the poor man, who had saved, perhaps, after a hard struggle, a couple of thousand pounds, with which, in his old age, he purchased an annuity of £200 to protect himself against dependence, should be liable to an income tax, and that the wealthy banker, stocker, or merchant who came under Schedule D, with an income of £20,000, should altogether escape scot-free? Unless all idea of financial justice had died out in this country, such a demand as that could never be conceded. At the same time, he felt that a very conclusive case had been made out for giving some relief to the possessors of temporary incomes. There was undoubtedly a great difference between the possessor of a permanent and the possessor of a temporary income. The former with £600 a-year was really, for all practical purposes, a far wealthier man than the latter with nominally the same annual income. Now, he was not so presumptuous as to suppose that he had found the solution of one of the most difficult financial problems; but he would suggest a way in which relief might be given that would reconcile the people far more to the income tax than would ever be the case as long as Governments persisted in saying there should be no difference whatever in the amount levied from temporary and from permanent incomes. He would propose that a certain proportionate amount, say one-third, should be deducted from all temporary incomes, and that while the possessor of a permanent income of £600 a-year, for example, should be taxed on the whole £600, the possessor of a temporary income of £600 should be taxed as if he had only £400. Then another kind of relief might be granted. At the present time, considering the high wages earned by many classes af artizans, there was no class so heavily burdened with taxes as persons with incomes between £100 and £150 who were liable to income tax. Considering the great increase in the cost of meat, the minimum income on which the tax was levied might fairly be raised. They might start with £150; and then they should not do what was now done by the Chancellor of the Exchequer—namely, deduct £80 from incomes of £100, which created the injustice that an income of £99 was not taxed at all, whereas the man who had £1 more was taxed on £20; but they should deduct that £150 from all incomes on which the tax was levied. He did not say that his two suggestions were the best which could be offered; but if something were done in the direction he had indicated the people would feel that an injustice had been recognized, and much existing dissatisfaction would cease. With regard to the proposed reduction of the sugar duty, it was scarcely worth while to have touched it until they were in a position to have remitted it altogether. This remission of the duty would cheapen sugar about one farthing a pound. It was well known that of so small a reduction of duty a considerable proportion went into the pocket, not of the consumer, but of the dealer. There was, moreover, the disadvantage that all the expensive machinery for the collection of the tax had to be kept up. An hon. Member had, in conversation with him, suggested that if they were going to reduce indirect taxation, it would have been much better instead of tampering with the sugar duty to have remitted some duty such as that on coffee altogether. There was another point to which he wished to direct the attention of the Committee. It seemed to him that the Chancellor of the Exchequer had greatly over-estimated the revenue of the coming year. He would not be presumptuous enough to express this opinion as an individual opinion of his own; but he ventured unhesitatingly to say that the Chancellor of the Exchequer would not find a single London banker, a single merchant, a single Lancashire or Yorkshire manufacturer who would say that it would be prudent even to bet that the prosperity of the coming year was likely to equal the prosperity of the last year. Every sign by which they could judge seemed to indicate that the last year was one of exceptional prosperity. The Excise duties were beginning to ebb; the advanced price of coal must greatly affect industry; and the disputes between labour and capital, daily assuming increased significance, were beginning to tell on the prosperity of the country. Seeing how that prosperity had been used, the tide, if it once turned, would ebb with remarkable rapidity. The figures which had been adduced by the Chancellor of the Exchequer brought out this fact—that unhappily the great prosperity which had been enjoyed had only been to a small extent utilized by the working classes. It had been marked, not by a greatly increased or proportionate accumulation of wealth, but by a prodigious consumption of spirits and intoxicating liquors. What did that mean? It meant that the working classes had little reserve to meet adverse times, and that when these adverse times came, they could not live a month without support from others. They had seen that men who had been striking to obtain higher wages were obliged to claim assistance from others, and to maintain themselves by parochial relief. They might, therefore, depend that if the tide once began to turn, it would ebb with great rapidity. There would be no reserve fund on which the working classes could support themselves; hundreds would be thrown out of work; a powerful force antagonistic to the prosperity of the country would be brought into operation; and, viewing all these things, he thought that the Chancellor of the Exchequer had been over confident in calculating the revenue of the coming year as equal to that of the past. The right hon. Gentleman seemed to have neglected another most serious consideration. Last year a Motion was carried by the hon. Baronet the Member for South Devon (Sir Massey Lopes), in favour of transferring certain local charges to the Consolidated Fund. He (Mr. Fawcett) hoped that they might derive this consolation from the Financial Statement that the Government were going to stand positively firm against this demand. But if they did not do so—if in the Bill on Local Taxation there was any proposal to transfer local charges to the Consolidated Fund, then the calculations of the Chancellor of the Exchequer would be thrown into confusion, for there might be a serious change in the coming year, for which the Government had made no provision. Frequent reference had been made to the efforts which they should make to pay off Debt. What they were doing in the present year was simply a repetition of the blunder of Mr. Pitt's Sinking Fund. They were paying off Debt in the form of Terminable Annuities with the one hand, and borrowing with the other. When those Terminable Annuities were created he expressed a fear that a day would come when Ministers would not have the courage to carry out the scheme consistently; but he did not expect that the Ministers who would show the want of courage would be the Ministers who brought these Terminable Annuities into existence. A financial fact could not be got rid of by a hocus-pocus, and whether called a temporary loan or Exchequer bonds it was borrowing all the same. If everything favourable happened, the money might be paid off next year; but in case of a bad harvest, financial disasters and panics, extended trade disputes, there would be no surplus with which to do this, and the bonds would have to be renewed. While paying off £2,600,000 by Terminable Annuities, they were about to adopt a course which would probably necessitate the borrowing of £1,700,000. The vice of Mr. Pitt's Sinking Fund was this—that he indulged himself in the meaningless but costly amusement of creating Debt with the one hand and paying it off with the other. He (Mr. Fawcett) had hoped that this financial policy was exploded. He did not expect from any protest against the Budget much if any effect. It was no doubt a popular Budget, and a General Election, perhaps, being imminent, it would probably produce its effect. He felt bound, however, to protest against a policy unworthy of a great country; for if Parliament had confidence in the prosperity of which it was boasting, it should have had the courage of its convictions, and should not have hesitated to pay at once out of the resources of the time the debt of the not very large amount of £3,250,000.

Mr. Alderman W. LAWRENCE said, that complaints had been made that this Budget was against the agricultural interest. Now, with regard to the malt tax, he denied that it was paid by the agriculturists. It was paid by the consumers, who were the inhabitants of large towns. The landed interest would get the advantage of the 1*d.* which was to be taken off the income tax. He thought that the Chancellor of the Exchequer had no alternative but to take off this 1*d.* If he continued the present mode of collection, the odium thereby created would jeopardize the existence of the tax. The number of persons surcharged was extraordinary, and it did not answer the purpose of a man surcharged to the extent of £100, £200, £300, or £400 only, to appeal, and he rather submitted to the annoyance of paying the improper amount. The Chancellor of the Exchequer should have raised the exemption from £100 to £150. At the proper time, he (Mr. Alderman Lawrence) would take the liberty of bringing the subject under the notice of the House. He did not share in the anticipations of the hon. Member for Brighton (Mr. White). Although the Chancellor of the Exchequer took the power to borrow next year £1,600,000 to pay America, he thought that he might fairly assume, as he had done, that he would be able to pay the money from the ordinary income of the country. The Chancellor of the Exchequer had, on his last Budget, promised to exempt from the inhabited house duty tenements used only for business purposes, and occupied only by a servant for the purpose of taking care of the premises, provided they did not exceed £20 a-year in value; but he had not redeemed his promise. He should, on a future occasion, call attention to the incidence of the probate duty, from which at present freehold property was exempt.

Mr. LAING said, he thought that, on the whole, the Budget was a good one. The main point at issue undoubtedly was, whether the whole of the Alabama Indemnity should be paid out of next year's surplus, or whether the whole of the surplus should be appropriated to the remission of taxation. Although he rather favoured the latter view, he still thought that the Chancellor of the Exchequer, in charging half of the amount of the Indemnity against the surplus, had come to a wise and satisfactory compromise between the extreme views. Some hon. Members appeared to think that a great effort ought to be made towards the reduction of the National Debt; but such a course would be contrary to the principles which had been enunciated by our greatest financial statesmen, who had always acted on the plan of appropriating surplus towards relieving the people from taxation. In this way the resources of the country had been increased to an extraordinary extent. Everyone had the same object in view, and that was to produce the greatest prosperity of the country, and to raise its credit as high as possible. He challenged anyone to show that during the last 40 years it would have been wiser for us to burden our industry and keep up an excessive amount of taxation, simply for the purpose of reducing our National Debt, than to pursue the policy which was inaugurated by Sir Robert Peel and followed by his successors. Take the case of two gentlemen who had each an estate worth £100,000 encumbered with a mortgage of £50,000. Suppose that one of them pursued the policy of laying out nothing for the improvement of his estate, of living economically and paying his debts, and that in the course of 20 years he paid half of his debt; he would have an estate worth £100,000 encumbered with a debt of £25,000, leaving a margin of £75,000. Suppose the other proprietor by a judicious expenditure doubled the value of his estate, but left the debt stationary; his estate would be worth £200,000 *minus* an encumbrance of £50,000; the margin in that case would be £150,000. The result in the latter case represented the beneficial effects of the policy which this country had pursued for the last 40 years. He believed that it was far better for posterity, whose interests found such zealous advocates in some persons, that we should pursue that policy instead of an opposite course. He admitted that the question of paying off National Debts must depend upon the circumstances of the case. In the case of the United States, there were special considerations which made it a very prudent policy to impose taxes in order to reduce the National Debt. The interest upon the Debt was 6 per cent; it was therefore wise to impose taxes to reduce it. Again, at the termination of the war there was a question, whether a repudiation or an honest policy should be pursued. A policy of repudiation became discredited. Therefore, the United States had a palpable motive for the policy they pursued. He should have been the very warmest advocate for that policy if he had been a member of the American Legislature; but he protested against the adoption of such a policy in this country. The plan for paying off our National Debt was simply the taking of money out of our pockets to invest it at 3¼ per cent. Could anyone doubt that if the reduction on the sugar and tea duties had not been made, and if the money they remitted had been applied to the reduction of the National Debt, the revenue would have been in its present flourishing condition? And was there any reason to doubt that the reduction of the sugar duties would, in the course of two or three years, be followed by increased consumption? Again, sugar could not be exported into this country without increasing its commerce. He did not deprecate a wise and moderate reduction of the National Debt. He did not say that, under ordinary circumstances, £1,000,000 a-year might not properly be devoted to that object. If any sudden emergency should arise, we, by having pursued the policy of the last few years, could borrow £200,000,000 at 3½ per cent, when other countries would be unable to borrow half that amount at less than 5 per cent. He admitted that when a large reduction of taxation was proposed to be made in consequence of the large surplus of this year, it was not for particular interests such as that which he advocated the other night to stand in the way. If one-half the duty was taken off sugar a corresponding reduction ought to be made in another direction, and that was done by the proposed reduction of the income tax. With regard to the taxes on locomotion and the grievances of railway passengers, they must wait for a more convenient season. He hoped that another year would find the right hon. Gentleman in possession of a considerable surplus, and that it would be applied in a wise and fruitful remission of taxation. There was one point on which he wished a little more specific information. The right hon. Gentleman proposed to deal with the Alabama Indemnity in this way—one-half to be borne by the revenue of the current year, and the other half to be paid out of the balances, and he proposed to raise Exchequer Bills or Bonds in case of need. [The CHANCELLOR of the EXCHEQUER assented.] He thought, on the whole, that the Budget was one which would give considerable satisfaction.

MR. GREGORY agreed in the opinion which had been already expressed that the agricultural interest had been somewhat neglected by the right hon. Gentleman. He appeared to have given the go-by to a Resolution which was come to by a large majority last Session, which distinctly pledged the Government to a certain transfer of the local taxation of the country by which the agricultural interest would be benefited. It could only be supposed that he ignored that proposition on the present occasion. The right hon. Gentleman proposed a further reduction in the sugar duties which was little calculated to benefit the consumer. Instead of the proposed remission of duties, he thought it would have been far better to have appropriated the money to the payment of the remainder of the Alabama Claims. When an honest man owed a debt he provided for the payment of it as soon as he could. The mode adopted by the right hon. Gentleman in this respect was very much like paying off one obligation by contracting another. When Exchequer Bills were issued they were an obligation upon the Government, and had to be liquidated at some future time. With regard to the income tax, if the remission of the tax altogether had been extended to incomes of under £150, many hard-working, frugal, and deserving people would have been benefited, and they were a class who were worthy of the consideration of the House.

MR. MUNTZ said, the Chancellor of the Exchequer seemed to be in the peculiar position of pleasing no one entirely and very few partially. He congratulated the right hon. Gentleman on the middle course he had taken for the payment of the Alabama Claims. It was a course which secured our finances for next year, and left no reasonable prospect that the right hon. Gentleman's calculations for the future would be disturbed. We could not expect that the prosperity we had lately enjoyed would continue for long. There was sure to be a reaction, when high prices and high wages would have had their day; but due allowance had been made for any temporary reverse. He thanked the right hon. Gentleman for taking a penny off the income tax. It was only those who knew the masses of the poorer classes who could tell how heavily this tax pressed upon them. The rich did not feel it; but the poor shopkeeper in a country town, and the struggling clerk who made only £150 or £200 a-year, and who had to suffer from bad debts, felt its pressure most grievously. The right hon. Gentleman extended the exemption last year from £60 to £80, and he (Mr. Muntz) regretted that he had not now extended it to £100. Such a course would be a great boon to the poor, and the revenue would not lose very much by it. He hoped the right hon. Gentleman would try to adopt some better means of collecting a tax which, through its inquisitorial character, had really become a positive nuisance. A plan which had some advocates was one for capitalizing incomes, and making this the basis of assessment. Another plan, which had been successfully carried out in two of the American States, was that of collecting the tax on declared property, each taxpayer declaring the value of his own property. The assessment might be made on property in that way, and to guard against unfair valuations, a pre-emption right might be given to the Government to take the whole of a man's property if they chose, paying him off according to the value he had put upon it, with 10 per cent advance, as was the case formerly with the Customs duties. A man who was worth £200,000 would hardly return himself at half that sum under such circumstances. At any rate, the income tax could no longer remain as it stood, for there was an intense feeling on the subject in the large towns. On the whole, the Budget was one which the country would accept favourably.

MR. BARNETT asked the right hon. Gentleman what course would be taken respecting the dividends which had that day been paid upon a proportion of the public funds. From those dividends income tax had been deducted at the rate of 4*d.* in the pound, though the tax itself expired yesterday. There was an impression in the City that those dividends should receive the benefit of the change; and, perhaps, the right hon. Gentleman would state how he proposed to deal with this and with another question, which would arise from day to day respecting the tax accruing upon dividends and coupons.

MR. AUBERON HERBERT deprecated the dangerous though plausible doctrine enunciated by the hon. Member (Mr. Laing). When a gentleman said he was prepared to adopt an heroic course in another country under other circumstances, but was not prepared to adopt it in his own country under present circumstances, such advice was always to be distrusted. In America, according to the hon. Gentleman, there was a certain danger of repudiation, and therefore he was prepared in America to repay debt. But if in this country our present prosperity did not continue, and we had a succession of adverse years, was there not also some danger of repudiation here? ["No, no!"] Hon. Members were more sanguine than he was, for even in these prosperous times he had heard suggestions of repudiation. The right hon. Gentleman, who did not succeed on a former occasion in finding "light," had now found sweetness in sugar. There seemed to be a little too much sugar on the Treasury Bench, and measures were framed rather to please and conciliate than to do what was right. We ought at once to have discharged the Alabama Claim. The right hon. Gentleman was too straightforward to claim credit for the reduction of the National Debt by £6,000,000, because he knew that he had nothing to do with it, and that it was done under an Act of Parliament. He was glad a reduction had been made in the duty on sugar, and thought we were throwing away many great advantages by not carrying out the free-trade policy to its furthest development, and making this country the free port of the world. But such a policy could not be carried out by avoiding obligations or indulging too sanguine anticipations of revenue. The only course was to adopt the shorter and nobler method from which the Government had shrunk, of making large reductions in our expenditure. It was said that the Government stood with one foot in the grave, and he would call upon them before the other foot followed to repent in this matter of expenditure, and try to show the country that they were willing to redeem the pledges they had given.

MR. SCLATER-BOOTH said, he was of opinion that the statement of the Chancellor of the Exchequer was incomplete in so far as it made no allusion to those matters which, as Chairman of the Public Accounts Committee, he had been obliged to take cognizance of during the last two months. The Committee was aware that a large amount of revenue due to the country had been taken for the construction of telegraph extensions; that the subject was the more interesting as a matter of revenue since they had been informed that the moneys due to the National Debt Commissioners had been paid over. It would seem that a sum approaching £700,000 or £800,000 must be due to the revenue by the Post Office in some form, and he should be glad to know whether in his estimate the right hon. Gentleman had taken that sum into account. It must be obvious, in the next place, that a sum approaching, if not actually amounting to, £1,000,000 would have to be borrowed in order to replace the money which had been so abstracted, and the right hon. Gentleman would perhaps give some information on the point.

THE CHANCELLOR OF THE EXCHEQUER: I regret that I cannot give the hon. Gentleman (Mr. Sclater-Booth) any accurate account on the subject of which he has spoken, as the accounts are now under investigation. As I myself have not escaped a certain amount of blame and accusation, it would be very improper if I were to use my position in proposing these Estimates to say anything which would in the least prejudice whatever decision the House might come to when all the facts are before it; but I may say this with great confidence — that I have not the slightest idea that anything that can possibly happen will in the least affect the Estimates that have been laid before us on the authority of the Post Office. I will not detain the Committee many moments, and after the long and interesting discussion we have had, they will not expect me to attempt to do so, or to enter into any long discussion; in fact, if I began to reply to the points raised I should have to enter into an animated defence of every tax that has been imposed. I certainly have great complaint to make of the hon. Member for the City of London (Mr. Alderman Lawrence), who accuses me of using him very ill; because, when he seduced my simplicity into following his advice, he led me on until I have sustained a severe and lamentable defeat under his auspices.

He now accuses me because I did not persevere in the same disastrous course. I am accused of over-sanguine Estimates. The Chancellor of the Exchequer never hits the golden mean in that respect. The future is unknown to me, although some other hon. Gentlemen seem to have a clear apprehension of it. At present, I believe, we are said to be in the full tide of prosperity; but the Estimates we have taken show no increase on the £800,000 we took last year. That, I think, is not an unreasonable prospect. Of course, circumstances may happen either way. There may be an additional flood of prosperity, and I might have to stand in this House before the bar of public opinion next year to answer for not having been sufficiently sanguine. On the other hand, there may have been a great crash and catastrophe, when I may be severely blamed for having put the Estimates too high. That is the position which belongs to persons in my situation, and I accept it freely. I do not think there is anything else for me to answer. Hon. Gentlemen connected with the agricultural interest consider themselves neglected because they have been only treated as part of the community. When I consider the large amount the agricultural interest contributes to Schedules A and B, and when I consider the interest they have in the general prosperity and in the increase of trade which re-acts indirectly on those commodities which they produce, I cannot think they will believe themselves to be unfairly dealt with because I have not addressed myself to any of their pet grievances, or because they think they have been deprived of large sums of money in taxes which really fall on the consumer. Nothing is farther from my wishes than to treat them with any unfairness. The same thing I will say about brewers, who seem to think themselves very ill-used because we have not attended to their recommendation to take off the licence duty. It appears to me they are in a dilemma, from which there is no mode of extrication. If that licence duty falls on the consumer it does not injure the brewer. If it falls on the brewer it is a large payment exacted from him out of his own resources before he is allowed to commence the exercise of his trade. That creates in his favour a qualified monopoly, which tends to diminish the number of competitors, and so to keep up the price of the commodity he sells, and therefore in one way or another it appears quite certain that the brewer must get value for his outlay. On the whole I have reason to be grateful to the Committee for the manner in which they have received this Budget. I hope they will allow me to pass the Resolutions through Committee to-night, and as they will not be reported until after the Recess, the House will have full time to consider them. As to the question of the hon. Gentleman opposite (Mr. Barnett) I apprehend that the income tax incurred under the late Income Tax Act, although that Act has now expired, will have to be paid at the rate fixed by that Act, and all income tax that has accrued since the expiration of the Act should be paid at the reduced rate which is intended to be imposed by the new Act. I think, therefore, that if the Committee should please to pass the Resolutions to-night, those who have to make the reductions will be justified in making them in accordance with the lower scale.

(1.) *Resolved*, That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-three, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):

For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Three Pence;

And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,

For every Twenty Shillings of the annual value thereof;

In England the Rate or Duty of One Penny Halfpenny; and

In Scotland and Ireland respectively, the Rate or Duty of One Penny Farthing;

Subject to the provisions contained in section twelve of the Act of thirty-fifth and thirty-sixth Victoria, chapter twenty, for the exemption of Persons whose whole Income from every source is under One Hundred Pounds a-year, and relief of those whose Income is under Three Hundred Pounds a-year.

(2.) *Resolved*, That, towards raising the Supply granted to Her Majesty, on and after the eighth day of May, one thousand eight hundred and seventy-three, in lieu of the Duties of Customs now charged on the articles under-mentioned, the following Duties of Customs shall be charged thereon, on importation into Great Britain or Ireland, viz.:

	£	s.	d.
Sugar, viz.:—			
Candy, Brown or White, Refined Sugar, or Sugar rendered by any process equal in quality thereto, and manufactures of Refined Sugar . the cwt.	0	3	0
Sugar not equal to Refined:—			
First Class . . the cwt.	0	2	10
Second Class . . ,,	0	2	8
Third Class . . ,,	0	2	5
Fourth Class (including Cane Juice) . . . the cwt.	0	2	0
Molasses . . . ,,	0	0	10
Almonds, Paste of . ,,	0	2	4
Cherries, Dried . , ,,	0	2	4
Comfits, Dry . . ,,	0	2	4
Confectionery, not otherwise enumerated . . the cwt.	0	2	4
Ginger, Preserved . ,,	0	2	4
Marmalade . . ,,	0	2	4
Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated . . . the cwt.	0	2	4

And that the said Duties shall be paid on the weights ascertained at landing.

(3.) *Resolved*, That on and after the eighth day of May, one thousand eight hundred and seventy-three, in lieu of the Drawbacks now allowed thereon, the following Drawbacks shall be paid and allowed on the undermentioned descriptions of Sugar refined in Great Britain or Ireland on the Exportation thereof to Foreign parts, or on removal to the Isle of Man for consumption there, or on deposit in any approved warehouse, upon such terms and subject to such regulations as the Commissioners of Customs may direct for delivery from such warehouse as ship's stores only, or for the purpose of sweetening British Spirits in Bond (that is to say):—

	£	s.	d.
Upon Refined Sugar in Loaf complete and whole, or Lumps duly Refined, having been perfectly clarified and thoroughly dried in the stove, and being of an uniform whiteness throughout; and upon such Sugar pounded, crushed, or broken in a warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate shipment, and then packed for Exportation in the presence of such Officers, and at the expense of the Exporter; and upon Candy . for every cwt.	0	3	0
Upon Refined Sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample No. 2, approved by the Lords of the Treasury, and which shall not contain more than five per centum of moisture over and above what the same would contain if thoroughly dried in the stove for every cwt.	0	2	10
Upon Sugar refined by the centrifugal or by any other process, and not in any way inferior to the Export Standard Sample No. 1, approved by the Lords of the Treasury . . for every cwt.	0	3	0
Upon other Refined Sugar unstoved, being bastards or pieces, ground, powdered, or crushed:—			
Not in any way inferior to the Export Standard Sample No. 3, approved by the Lords of the Treasury for every cwt.	0	2	10
Not in any way inferior to the Export Standard Sample No. 4, approved by the Lords of the Treasury for every cwt.	0	2	8
Not in any way inferior to the Export Standard Sample No. 5, approved by the Lords of the Treasury for every cwt.	0	2	5
Inferior to the above last-mentioned Standard Sample for every cwt.	0	2	0

(4.) *Resolved*, That, in lieu of the Duties of Excise now chargeable on Sugars made in the United Kingdom, the following Duties of Excise shall be charged thereon (that is to say):

	£	s.	d.
On and after the eighth day of May, one thousand eight hundred and seventy-three, Candy, Brown, or White Refined Sugar, or Sugar rendered by any process equal in quality thereto, and manufactures of Refined Sugar the cwt.	0	3	0
Sugar not equal to Refined,—			
First Class . . the cwt.	0	2	10
Second Class . . ,,	0	2	8
Third Class . . ,,	0	2	5
Fourth Class . . ,,	0	2	0
Molasses . . ,,	0	0	10

That, on and after the eighth day of May, one thousand eight hundred and seventy-three, in lieu of the Duties of Excise now chargeable upon Sugar used in Brewing, there shall be charged and paid upon every hundredweight, and in proportion for any fractional part of a hundredweight, of all Sugars which shall be used by any Brewer of Beer for sale in the brewing or making of Beer, the Excise Duty of Nine shillings and Six pence.

(5.) *Resolved*, That, towards raising the Supply granted to Her Majesty, the Duties of Customs now charged on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and seventy-three, until the first day of August, one thousand eight hundred and seventy-four, on importation into Great Britain or Ireland (that is to say):

	s.	d.
Tea . . . . . the lb.	0	6

(6.) *Resolved*, That, towards making good the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money not exceeding One Million Six Hundred Thousand Pounds Sterling, by an issue of Exchequer Bonds.

(7.) *Resolved*, That the Principal of all Exchequer Bonds which may be so issued shall be paid off at Par at any period not exceeding Twelve Months from the date of such Bonds.

(8.) *Resolved*, That the Interest of such Exchequer Bonds shall be payable Half Yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

Mr. HUNT asked when it was proposed to take the Report on these Resolutions?

The CHANCELLOR of the EXCHEQUER: On Thursday, the 24th instant.

Resolutions to be reported upon *Thursday* 24th April;

Committee to sit again upon *Monday* 21st April.

REGISTER FOR PARLIAMENTARY AND MUNICIPAL ELECTORS (*re-committed*) BILL—[Bill 66.]—COMMITTEE.

(*Mr. Attorney General, Mr. Hibbert.*)

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. C. E. LEWIS, who had a Notice on the Paper to move "That this House will, upon this day six months, resolve itself into the said Committee," said, the dates fixed upon by the Bill, August 9 being the first and September 20 the last, would prove inconvenient to all parties concerned. It was within the experience of persons connected with the law that the Home Circuit had sat into the first week of September, and the Northern Circuit into the first and second week of the same month, and this was sufficient to show the inconvenience that might be occasioned both to barristers and solicitors, who would be attending the Assize Courts when they were wanted in the revision Courts. At present two months were allowed for the printing of each Parliamentary register, but by this Bill little more than a month was given for this purpose. The alteration proposed carried back the qualifying vote in a borough from January to 30th November, the result of which would be that many persons in business who might be dissolving partnership—seeing that such dissolutions generally took place at Christmas—could not be put upon the register until after three years of occupation. The hon. and learned Gentleman (the Attorney General), in introducing the Bill, had made a great point of the power which the muncipal voter would have of an appeal to the Court of Common Pleas; but that power of appeal was a mere delusion, because the municipal register had to be conclusively settled before the 1st of November, and it was to be conclusively voted upon on the 1st of November except as regards casual vacancies, while the Court of Common Pleas did not sit until the 2nd. That was a most serious blot on the Bill. What he proposed in order to get rid of that objection was this—that the election of town councillors should be held on the 1st of December, and the election of mayors on the 9th of December. The whole of Michaelmas Term would then be available for municipal appeals; and the Bill would be a vitality and a reality, instead of a delusion and a sham. This Bill required the most careful attention of a Committee upstairs. The Bill dealt with the lodger franchise in a most remarkable manner. It proposed a perfect revolution in the lodger franchise. In order to acquire the lodger franchise a man must occupy separately and as sole tenant for 12 months lodgings which unfurnished would be of the yearly value of £10. In other words, there were five leading elements or conditions necessary to be proved to give reality to this franchise. The lodger had to make a claim; he was bound to go either in person or by agent to prove his claim. The Revising Barristers in London had adopted the most prudent and favourable view of the law. They held Courts in the evening to suit the convenience of the labouring classes; they laid it down that it was not necessary for the claimant to go himself to prove his claim, but any person competent to give reasonable information as to the character of the tenancy should be entitled to give evidence, and the best construction should be put upon it. But there had been great laxity; there was a great falling off in the lodger claims, and what the Attorney General now proposed to do in this Amended Bill was by Clause 5—if a person made a claim as lodger, and he was upon the register for the last year, and if he claimed for the same lodgings, he should be *primâ facie* assumed to be a lodger for the next year, and have a vote accordingly. The consequence would be that in large constituencies, like Westminster, a start being made with a register of 5,000 or 6,000 lodgers, and unscrupulous agents having to fill up the list of lodgers for the next year on the basis of last year's list, it would be impossible to test those lists of lodger claimants. He was of opinion, therefore, that the Bill ought to be referred to a Committee upstairs, in order that the opinion of Revising Barristers might be taken, who would furnish information as to the way in which legislation on the subject should be carried into effect. Although, he might add, it was pretended that the Bill would affect only borough revisions, it would bring about a complete revolution of the whole system as regarded counties, and he could not understand why a Revising Barrister of seven years' standing should be so insulted as not to be deemed fit to be allowed a discretion in deciding whether a man was to pay costs or not. He hoped also the Attorney General would explain the reason why certain dates had been introduced into the Bill. He would suggest that the election of town councillors should be held on the 1st of December, instead of the 1st of November in every year, and that the Parliamentary revision system at present in existence should remain unaltered. In conclusion, he moved that the Bill be referred to a Select Committee.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Charles Lewis,*)—instead thereof.

The ATTORNEY GENERAL appealed to the Speaker as to whether it was competent for the hon. and learned Member to alter the Motion of which he had given Notice, more especially as the hon. Member for South Leicestershire (Mr. Pell) had on a previous occasion made the present Motion, which was then rejected by the House.

Mr. SPEAKER said, he did not think the present Motion was identical with that submitted by the hon. Member for South Leicestershire.

The ATTORNEY GENERAL said, that although the hon. and learned Gentleman opposite was not a Member of very long standing in the House, yet he had shown a singular acquaintance with its forms, as far as they were capable of being used for the purpose of obstruction. The hon. and learned Member had delivered the very same speech, as far as nine-tenths of it were concerned, three times at least—once on the second reading of the Bill, once on the Motion that the Speaker leave the Chair, and again on the present occasion. Therefore, he repeated that the forms of the House had been used for the purpose of obstructing this Bill. All the objections raised by the hon. and learned Member were merely objections to the clauses, and should properly be dealt with in Committee. One of the great objections taken to the Bill was that the whole revision system of the counties of England was to be altered for the purpose of bringing the Parliamentary and Municipal revision of the boroughs into harmony one with the other. Now, he and his hon. Friend (Mr. Hibbert) had received a great many communications and suggestions on the subject, but not a single objection from the counties of England. Then it was said that some inconvenience would be found in the period fixed for revision—namely, the time from the 9th of August to the 15th of September, because some of the Revising Barristers would then be engaged in the work of Assizes. But all would not be so engaged, and there was no necessity to commence the work on the 9th of August. All that was required was that it should be done in the interval between that date and the 15th of September, and he could see no real difficulty in that requirement. Then the hon. Gentleman complained of the manner in which the Bill dealt with the lodger franchise, which, he said, gave an opening to fraud on the part of unscrupulous agents. The fact was the lodger was required to make his claim in a certain form, every necessary ingredient in the qualification was carefully ascertained by a Schedule set out in the Bill, and the lodgers were to be set out in a separate list so as to give every proper facility to those who might make an objection. And that was what was called by the hon. and learned Member a fraudulent and indirect mode of taking the lodger on the register. With regard to the proposal of the hon. and learned Member to alter the date of the municipal elections to the 1st of December, the present arrangement had been fixed to suit the general convenience of the great towns interested in the working of this Bill, a large proportion of them having desired him to adhere to the present date. He trusted that the hon. and learned Gentleman would not persist in his Motion.

Mr. HUNT said, that as the hon. Member for South Leicestershire (Mr. Pell) had entered into an arrangement with the hon. and learned Attorney General to which he himself was a party, under which the Motion to refer the Bill to a Select Committee had been withdrawn, he could not support the present Motion, although he thought that the measure was susceptible of considerable improvement. He hoped that, if the hon. and learned Member for Londonderry (Mr. C. E. Lewis) did not succeed in his Motion, the Attorney General would agree to go no further with the Bill that night after the House had gone into Committee *pro formâ*. An opportunity would then be given to hon. Members to consider the suggestions which had been made with regard to the printing of the register.

Mr. NEWDEGATE said, he thought that the observations which the hon. and learned Attorney General had made on the hon. Member for Londonderry (Mr. C. E. Lewis) were quite uncalled for. It was obvious that, if the House went into Committee on a Bill of this sort, the power of the Government told three-fold upon the progress of the measure in dealing with any objections such as the hon. Member had urged, compared with what it did before going into Committee. During the last three Sessions he had witnessed too many struggles in Committee; and he was coming very much to the opinion which had been suggested to Committees on Public Business, that it would be far better to refer such Bills to Committees up-stairs; because those struggles in Committee of the Whole House did no credit to the House. They were ineffectual for the purpose of changing a Bill materially. The House ought not to change the principle of a Bill in Committee, and they did not change the principle of Bills in Committee; but they did this—they wasted the time of the House in Committee. He thought it, therefore, better and more legitimate that use should be made of the forms of the House before Bills went into Committee, in order to argue such amendments involving principle as the promoters of the Bills might be unwilling to accept. What was the fact in the present instance? This Bill had been essentially changed in many particulars, and it was now admitted on this stage of the Bill that the Schedule fixing all the dates was introduced originally by a mistake of the printer.

The ATTORNEY GENERAL: No, no. Objections were taken to the original Schedule, and a new Schedule was substituted; but instead of the new Schedule being in the re-delivered Bill the old Schedule was printed over again.

Mr. NEWDEGATE: Then it came to this, that a double alteration had been made, as the Bill was delivered to Members. Therefore what he had said was doubly true, because the hon. and learned Gentleman had intended to accept certain alterations as to the dates, which were suggested by the right hon. Gentleman the Member for Northamptonshire (Mr. Hunt), but by some mistake of a subordinate a Paper was distributed to the Members of this House, which implied that the hon. and learned Gentleman had not accepted those Amendments. Afterwards the hon. and learned Gentleman substituted a corrected Paper, and now, for the first time, this House was distinctly informed of the arrangement which he had come to after hearing the objections to the Bill. He thought, therefore, that the hon. Member for Londonderry was perfectly justified by the forms of the House; by the system of debate which was generally acted upon, and by the recent experience of the House, in suggesting that this Bill should be referred to a Select Committee. Without urging the hon. Member to a division, he should most certainly vote with him if he thought fit to divide.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 110; Noes 38: Majority 72.

Question again proposed.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Greene.*)

Mr. NEWDEGATE inquired of the Attorney General whether, if the Speaker left the Chair, progress would be at once reported.

The ATTORNEY GENERAL said, he proposed to make as much progress with the Bill as he could.

Mr. RATHBONE said, that the object of the opponents of the Bill was to prevent it passing in time for the lists of this year.

Mr. GOLDNEY said, the opposition to the Bill was perfectly *bonâ fide*, and the hon. and learned Member for Londonderry (Mr. C. E. Lewis), who had more experience on the subject than any Member of that House, believed that it would be unworkable.

Mr. RYLANDS appealed to the Government to agree to report Progress as soon as they went into Committee.

The ATTORNEY GENERAL said, there was no opposition to the first two clauses of the Bill; and when they came to the third he would be quite willing to report Progress.

Mr. HUNT said, he thought the proposal of the Government a fair one.

Mr. GREENE said, he would withdraw the Motion for the adjournment, but he objected to being lectured by a man like the hon Member for Liverpool (Mr. Rathbone) ["Oh, oh!"]

Mr. SPEAKER: I understood that the hon. Member rose to withdraw the Motion; he is not entitled to address the House a second time.

Motion, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

Committee report Progress; to sit again upon *Monday* 21st April.

RAILWAY AND CANAL TRAFFIC BILL.

(*Mr. Chichester Fortescue, Mr. Childers, Mr. Arthur Peel.*)

[BILL 121.] CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question put, "That the Bill be now taken into Consideration."

The House *divided*:—Ayes 103; Noes 23: Majority 80.

Bill, as amended, *considered.*

Clause 4 (Appointment of Railway Commissioners).

Mr. CHICHESTER FORTESCUE moved in page 2, line 30, after "experience in Railway business," to insert "and not more than two Assistant Commissioners."

Amendment *agreed to.*

Clause 10 (Explanation of 17 & 18 Vict. cap. 31, s. 2, as to through traffic).

Mr. PIM moved to insert in page 5, line 14, after "through rates"

"And shall also include the due and reasonable forwarding by every Railway Company and Canal Company which uses, maintains, or works, or is a party to using, maintaining, or working steam vessels for the purpose of carrying on a communication between any port at which the said Railway Company or Canal Company has a terminus, and any other port in the United Kingdom, at the request of the owners of other steam vessels plying regularly between any port in the United Kingdom and any port at which the said Railway Company or Canal Company has a terminus, of through traffic to and from such vessels, at through rates, tolls, or fares."

He stated that the object of the Amendment was to secure proper competition, particularly in respect to the Irish traffic.

Question proposed, "That those words be there inserted."

Mr. CHICHESTER FORTESCUE said, that he had come reluctantly to the conclusion that he must object to the Amendment. There was no reciprocity. It was proposed that a line of steamers should have a right to forward goods at through rates all over large systems of railways.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 6, line 32, after the word "board," to insert the words "or chamber of commerce, or any other association of merchants or traders composed of not less than twenty members."—(*Mr. Mundella.*)

Mr. PEASE opposed the Amendment on the ground that such bodies were irresponsible. If they admitted Chambers, of Commerce, they must admit Chambers of Agriculture, and there would be no end to complaints.

The SOLICITOR GENERAL pointed out that Chambers of Commerce not incorporated could not sue or be made to pay costs. Those that were incorporated could apply as a public body; but the unincorporated chambers were wholly irresponsible, and they would have no power to bind the minority. He should oppose the Amendment.

Question put, "That those words be there inserted."

The House *divided:*—Ayes 25; Noes 69: Majority 44.

Remaining clauses *agreed to.*

Bill to be read the third time upon *Monday* 21st April.

MEDICAL ACT (1858) AMENDMENT BILL.

On Motion of Mr. HEADLAM, Bill to amend "The Medical Act, 1858," *ordered* to be brought in by Mr. HEADLAM and Sir HENRY SELWIN-IBBETSON.

Bill *presented*, and read the first time. [Bill 127.]

METALLIFEROUS MINES RATING BILL.

On Motion of Sir JOHN ST. AUBYN, Bill to amend the Law relating to the Rating of Metalliferous Mines, *ordered* to be brought in by Sir JOHN ST. AUBYN, Mr. BRYDGES WILLYAMS, Mr. ARTHUR P. VIVIAN, and Mr. PEASE.

Bill *presented*, and read the first time. [Bill 128.]

STIPENDIARY MAGISTRATES (SCOTLAND) BILL.

On Motion of The LORD ADVOCATE, Bill to enable Burghs in Scotland of twenty-five thousand inhabitants and upwards to appoint Stipendiary Magistrates, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary BRUCE, and Mr. ADAM.

Bill *presented*, and read the first time. [Bill 129.]

ENTAILED AND SETTLED ESTATES (SCOTLAND) BILL.

On Motion of The LORD ADVOCATE, Bill to alter and amend the Law relating to Entails and the Settlement of Estates in Scotland, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary BRUCE, and Mr. ADAM.

Bill *presented*, and read the first time. [Bill 130.]

House adjourned at half after Two o'clock till Monday 21st April.

HOUSE OF LORDS,

Monday, 21st April, 1873.

MINUTES.]—REPRESENTATIVE PEER FOR IRELAND—Lord Inchiquin, *v.* Lord Kilmaine, deceased.

PUBLIC BILLS—*First Reading*—Limited Owners Improvements* (65).

Committee—Report—Mutiny; Marine Mutiny*.

MUTINY BILL.

(*The Marquess of Lansdowne.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

THE MARQUESS OF SALISBURY said, he was surprised that the noble Marquess the Under Secretary of State for War had not taken an opportunity of giving an explanation of the alterations proposed in this now historical Bill. These alterations were very important, and he thought they should not be assented to without their full purport being made known to their Lordships. His attention had been drawn to the matter through several Petitions which had been sent to him for presentation to the House.

THE MARQUESS OF LANSDOWNE begged to remind the noble Marquess that when moving the second reading of the Bill he called attention in a few words to the alteration in what used to be the 40th clause in the Mutiny Act. Under that clause the soldier was exempted from the liability which devolved upon every man to support his wife and his children, whether legitimate or illegitimate. By the 107th section of the Bill now before their Lordships it was proposed to put an end to that exemption, and to render the soldier liable in respect of his wife and of his children in the same way as all others of Her Majesty's subjects; but, in order to secure that the public might not be deprived of the soldier's services, the War Department had felt obliged to limit the principle established by Clause 107 to this extent:—First it was proposed that, in the case of non-commissioned officers of a rank not lower than that of sergeant, the amount for which the man should be liable should be 6*d.* a day, and that in the case of privates and of non-commissioned officers under the rank of sergeant the amount should be 3*d.* a day. Another limitation was in the shape of a Proviso that where the putative father of a child was resident outside the petty sessions district in which the mother resided, and in which the summons against him was to be heard, money sufficient to pay his travelling expenses to the latter place should be lodged in the hands of the commanding officer. In some cases this would no doubt, prevent poor women enforcing the law; but, on the other hand, if the expenses were to be paid by the public, there might be collusion between the soldier and persons residing in a place to which he desired to make a little trip. It was the duty of the War Office to protect the public against a conspiracy, and at the same time to take care that the soldier did not escape the consequences of his folly. He had not thought it necessary to go very fully into the matter on the second reading, because from the thin attendance on that occasion—particularly on the opposite benches—he did not think the proposed alterations excited any very great amount of interest.

The Marquess of SALISBURY thought it would have been desirable to print the Bill with the Amendments before they were asked to discuss them in Committee. The restrictions to the liability under the 107th clause were very important, and it might be that they amounted practically to a denial of a boon which Parliament by that section would purport to grant. There had been so many instances lately of the imperfect manner in which Bills were drawn that it was desirable to have clauses, and amendments in clauses, very closely looked to.

The Duke of RICHMOND asked whether there was any reason why the Bill should not be reprinted? The alterations were very important. He did not understand who was to pay the expenses of the soldier's journey.

The Marquess of LANSDOWNE replied that if the claim against the soldier was made out the expenses would be recovered from the soldier in the shape of stoppages; but if it failed the money lodged by the mother would be forfeited, as having been applied to the expenses that had been incurred.

Lord CAIRNS asked whether he was right in supposing that if a poor woman deposited what to her was a considerable sum of money—perhaps two sovereigns—to pay the soldier's expenses from a distant place, and made good her claim on the hearing before the magistrates, she was only to recover the money by instalments, procured from the man in the shape of small stoppages of 3*d.* a day? If this were so he thought an Amendment was required, because such a provision would, in many cases, render the section a dead letter.

The Marquess of LANSDOWNE said, that where the soldier was at a distance no doubt the section might often prove a dead letter; but he did not see how that was to be prevented except at a risk of loss and inconvenience to the public. The amendment of the 40th section of the Mutiny Act had long been canvassed, and all these matters had been carefully considered, and there was no help for it. This Bill had come up from the other House; and on the second reading no objection was made to it by any of their Lordships. It was absolutely necessary that the Mutiny Bill should be passed without much further delay.

Lord CAIRNS asked when the existing Mutiny Act expired?

The Marquess of LANSDOWNE said, on the 25th inst., and therefore it was essential that this Bill should receive the Royal Assent on the 24th.

House in Committee accordingly.

Bill *reported,* without Amendment; and to be read 3ª *To-morrow.*

Marine Mutiny Bill *considered* in Committee, and *reported* without Amendment; and to be read 3ª *To-morrow.*

BASTARDY LAW AMENDMENT BILL.

(*The Earl of Shaftesbury.*)

Commons Amendments *considered.*

Order of the Day for resuming the debate on the Motion for consideration of the Commons' Amendments to the Lords' Amendments and the Commons' Reasons for disagreeing to some of the Amendments made by the Lords, read.

The Marquess of SALISBURY said, that his noble and learned Friend on the Woolsack had introduced an Amendment to make valid orders made by magistrates in ignorance of the slip in the Bill of last year. He thought this Amendment, though right in itself, might bear rather hardly on persons against whom such orders had been made, and who might have appealed against them, but had not done so because they knew they were invalid.

The LORD CHANCELLOR said, he did not think the objection of his noble Friend well founded. The effect of his Amendment would only be to make valid orders which but for the slip in the Bill of last year would have been valid. It would not make valid orders which were invalid on any other ground, and therefore it would work no injustice; because if there were no such Amendment the only effect would be in the case of persons whose orders were invalid by reason of the slip in the Bill of last year to oblige such persons to institute proceedings under this Act.

The Marquess of SALISBURY said, the explanation of his noble and learned Friend removed his objection.

Further debate *resumed* accordingly.

Motion *agreed to*; Commons Amendments and Reasons *considered*; Amendments to which the Commons disagree, *not insisted on*; Commons Amendments to Lords Amendments, *agreed to*, with Amendments; consequential Amendments made; and Bill returned to the Commons.

House adjourned at half past Five o'clock, 'till To-morrow, a quarter before Five o'clock.

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HOUSE OF COMMONS,

Monday, 21*st April*, 1873.

MINUTES.]—New Member Sworn—Hon. Henry William Lowry Corry, *for* Tyrone County.

Supply—*considered in Committee*—Civil Service Estimates.

Public Bills—*Resolution in Committee—Ordered—First Reading*—Pier and Harbour Orders Confirmation * [132]; Registration of Trade Marks * [133].

Ordered — First Reading — Oyster and Mussel Fisheries Order Confirmation * [131]; County Authorities (Loans) * [134]; Superannuation Act Amendment * [135].

Second Reading—University Tests (Dublin) (No. 3) [124]; Fairs Act (1868) Amendment * [125].

Referred to Select Committee—Metropolitan Commons Supplemental * [107].

Committee—Register for Parliamentary and Municipal Electors (*re-comm.*) * [105]—R.P.

Committee — Report — New Zealand Roads, &c. Loan Act (1870) Amendment * [116]; Elementary Education Provisional Order Confirmation (No. 3) * [115]; Gretton Chapel Marriages Legalization * [111].

Third Reading—Elementary Education Provisional Order Confirmation (No. 1) * [95]; Elementary Education Provisional Order Confirmation (No. 2) * [96]; Portpatrick Harbour * [61]; Land Drainage Provisional Order * [97]; East India Stock Dividend Redemption * [102], and *passed*.

EAST INDIA COMPANY—THE EAST INDIA STOCK DIVIDEND REDEMPTION BILL.—QUESTION.

Mr. CRAWFORD, according to private Notice, asked the Under Secretary of State for India, Whether his attention has been drawn to the report of the proceedings of the Court of Proprietors of the East India Company a few days ago, from which it appears that exception is taken to the immediate transfer to the Secretary of State for India of the Security Fund which was set up by the Act of 1833, in anticipation of the time when the proprietors would be repaid the amount of their stock, which would be the 30th of June next year?

Mr. GRANT DUFF: Sir, in reply to my hon. Friend I have to say that my attention has been drawn to the matter to which he has alluded. The principal objection taken to the Bill as it originally stood has been met in its essential features by an Amendment which was inserted the night before the Recess on the Motion of the hon. Member for Chippenham (Mr. Goldney); and, with reference to the closing of the books and the possibility of requiring services from the Company without expressly providing for their cost, my hon. Friend will, I hope, take my assurance that nothing will be done by the Secretary of State in Council which will not be both just and considerate towards the last representatives of so august a body as the great old East India Company.

SANITARY ACTS—MINERAL WORKS.
QUESTION.

Mr. GREGORY asked the President of the Local Government Board, Whether it has been brought under his consideration that by the construction of the Nuisances Removal Act, 18 & 19 Vic. c. 121, and of the 29 & 30 Vic. c. 90, all works for manufacturing the produce of ores and minerals are exempt from the provisions of those Acts; and, whether he intends to introduce any Bill for the amendment and consolidation of the Sanitary Acts during the present Session?

Mr. HIBBERT, in reply, said, the attention of the Local Government Board had been called to the fact that, under the construction put upon the existing Sanitary Acts, works for manufacturing the produce of ores and minerals were exempt from their provisions, and the fact would be remembered whenever the Government introduced their measure for amending and consolidating the Sanitary Acts; but, in case they should not be able to do so during the present Session, perhaps the right hon. Gentleman the Member for North Staffordshire (Sir Charles Adderley) would be disposed to meet the case by inserting a clause in the Bill which he had already submitted to the House.

UNIVERSITY TESTS (DUBLIN) (No. 3) BILL.—[Bill 124.]

(*Mr. Fawcett, Dr. Lyon Playfair, Mr. Plunket.*)

SECOND READING.

Order for Second Reading read.

Mr. FAWCETT, in moving "That the Bill be now read a second time," said: Mr. Speaker—It has so often fallen to my lot to speak on the subject of University education, that it will only be necessary for me this evening to occupy the time of the House for a few minutes. If for no other reason, I shall be brief on the present occasion, because I am anxious to avoid, as far as possible, all topics which may possibly lead to recriminations about the past. My sole wish and purpose is to secure as early a passing of this Bill as possible, because a practical object is to be gained by its passing before the 8th of May, or, at any rate, before the end of that month. In order, therefore, to pledge myself that I wish to get the Bill as expeditiously through as possible, I wish to avoid saying a single word that might lead to controversy; but it is due to the House that I should state the exact position of the question at the present moment, and how it has come to pass that the Bill is different from that which I originally introduced, a portion of which has been abandoned. Some three or four weeks since it was intimated to the promoters of the Bill that if they would abandon one portion of it—namely, that which proposed to constitute a Council of Organization for the future, for the reform of the Government of Trinity College and the University of Dublin, the Government would facilitate the passing of the remainder of the Bill—namely, that which related to the abolition of religious tests. In deciding to accept that offer of the Government, we were influenced by three considerations Of course, it is scarcely necessary for me to remark that we abandoned a portion of the Bill reluctantly, for we still retained the opinion that it would have been better, if it had been possible, that the Bill should be passed in its entirety. We were, however, met by these considerations. In the first place we knew perfectly well, from the experience of last Session, that if the Government did not facilitate the passing of the Bill by giving us some Government nights, there could not be the smallest chance of the Bill becoming law in the present Session. For what happened last year? The second reading of a Bill more complete than the present one was passed by an overwhelming majority—a majority of four to one—before Easter. The promoters of the Bill did everything that independent Members could do to get the Bill into Committee; but the Government objected to the whole Bill; they therefore rendered the promoters of the Bill no assistance, and the result was that, though the promoters availed themselves of every opportunity, we were unable to get the Bill forward. That being the case, the promoters of the Bill felt that if they preserved it intact it might be eventually lost, even after the second reading had been carried by an overwhelming majority — while they thought that if, on the other hand, they accepted the offer of the Government and confined the Bill simply to an abolition of tests, it was almost certain that with their assistance the measure would pass. The friends of the Bill were also influenced by the consideration that they had always regarded the abolition of tests as the most important portion of the measure, and that that part of the question which would be left unsettled might possibly, as he should presently show, be settled at some future time without the direct intervention of Parliament. Thirdly, there was another consideration which greatly influenced the supporters of the Bill. The abolition of tests was not a theoretical reform, but a reform of a practical and an immediate kind; for they could not conceal from themselves the fact that last year one of the most eminent students in Trinity College, Dublin, had by intellectual merit won a valuable prize which he could have enjoyed if this Bill had passed. Therefore, they felt that if from any private preference of their own they did not accept the offer of the Government, it was quite possible that in the Fellowship examination which was about to be held in Trinity College, they might, by delaying the passing of this measure, be inflicting great injury on distinguished and deserving students. The Motion for the second reading is to be met by two Resolutions, one of them brought forward by my hon. Friend the Member for the county of Galway (Mr. Mitchell Henry) and the other by my hon. Friend the Member for Tralee (The O'Donoghue). Happily, although I may not agree with the spirit or intention of either of these Resolutions, yet it seems to me they are so entirely irrelevant to the Bill that, although I differ from them, it is scarcely necessary to enter into any controversy with my hon. Friends. The Resolution of my hon. Friend the Member for the County of Galway affirms that, in order to settle the question of Irish University education, it is necessary that a Royal Commission should be appointed to take evidence from Academic Bodies, and from those persons in Ireland who are most interested in the subject. Now, admitting the necessity of appointing such a Commission, there is not the slightest reason why my hon. Friend should withhold his support from the present Bill; for surely my hon. Friend will agree with me that it does not require a Royal Commission to decide whether we shall apply to Ireland the same legislation which has been applied to the Universities of Oxford and Cambridge. The principle of the abolition of religious tests has been already affirmed by overwhelming majorities in this House. I cannot, therefore, agree with my hon. Friend that a Commission is necessary to inquire into the state of University education in Ireland; but even if I did, that would not afford the slightest reason for delaying for a single hour the passing of a Bill for the abolition of religious tests. As to the Resolution of my hon. Friend the Member for Tralee, it is equally irrelevant to the present measure, and hon. Members who cordially endorse every syllable of that Resolution may, nevertheless, give an emphatic vote in favour of the Bill. For what does my hon. Friend ask the House to declare? He asks the House to declare that the abolition of religious tests will not settle the question of Irish University education. Who thinks it will? He cannot suppose that the Government thinks that the passing of this Bill will settle the question of Irish University education. We have entered into no arrangement or understanding that the question should not again be re-opened. Therefore, if the Government should desire again to enter upon the subject of Irish University education, it will be able to do so next Session, with just as much readiness and freedom as if this Bill had never been passed; and as far as I myself and those Friends who are acting with me are concerned, the best pledge we can possibly give to the hon. Member for Tralee that we do not consider the abolition of tests to be a settlement of the question is this—that we have reluctantly abandoned a portion of our Bill; and we would not have abandoned that portion of the Bill unless we had been compelled to do so, as it were, by the circumstances and the necessities of the case. Therefore my hon. Friend cannot hope to have a more practical or satisfactory assurance that we do not consider that the simple abolition of tests is a settlement of the question of Irish University education. If I am asked in what direction, in my judgment, Irish University reform is likely to proceed in the future after religious tests have been abolished, I answer that I feel it would be excessively hazardous and presumptuous in me to venture an opinion on the subject. In the first place, it may possibly happen that the subject will not have to be dealt with in this Parliament, but in a new Parliament; and who can venture to predict what will be the opinion of a new Parliament on the question? Again, it may very possibly happen that if the authorities of Trinity College and the University of Dublin act during the next year with the same sagacity and the same liberality which have distinguished their action during the past two or three years, they may to a great extent, take the subject out of the hands of this House. They may do so by preparing a set of statutes of their own so liberal, so wise, so enlightened, that this House may consider that the best thing that we can do for University education in Ireland is to leave the question in the hands of so distinguished an academical body, and simply move an humble Address to Her Majesty, praying that she will be graciously pleased to assent to the statutes so wisely and liberally proposed by the authorities of the College and University themselves. Before I sit down I wish to say a few words with a view to prevent myself being, in the slightest degree, misunderstood. I hope my Catholic Friends in this House will believe me when I say that I am as ready to admit as they can be, that Catholics in Ireland, and those residents there who are not members, of the Protestant Episcopal Church, have suffered, and are suffering at the present time under a most serious grievance with regard to University education. If I had not felt this, why should I have striven during almost every year that I have been in Parliament to force this subject upon the attention of the House? The difference between my Catholic Friends and me is not as to the existence of the grievance; the difference between us is as to the nature of the grievance and as to the proper remedy of which that grievance admits. We think that if you abolish all religious disabilities, if you do everything that possibly can be done to efface the traces of past inequality, without infringing the principle of academic freedom, and without introducing the principle of political domination; if, in fact, you lay the foundation which in the future will give every Catholic and every Nonconformist in Ireland the same opportunity of obtaining honours and emoluments in University education as is possessed by people who belong to the Episcopalian Church, that then this House will have done all that it can do in order to secure educational equality. But my hon. Friends the Catholic Members of this House put a different interpretation upon the grievance under which they say they are suffering, and they also suggest a different remedy. They say that they shall never enjoy justice as long as by endowments we encourage the mixing together in education of Catholics, Protestants, and people of different religions. Well, if that is their grievance, all I can say is that such grievance admits of but one remedy, and that is to carry out in University education the principle of concurrent endowment. But in striving after concurrent endowment my hon. Friends know—far better than I can tell them—that they are striving after what there is not the smallest chance of their obtaining from this House. They may be misled by some phrases on the evening of a great party division, when the rival parties are struggling for their votes; but after what has recently taken place, can any reasonable man believe that there is the slightest chance of concurrent endowment being conceded to them? For what has taken place? Nothing can be more positive or emphatic than the assurances of the Prime Minister on this subject, in his memorable speech at the close of the debate on the Irish University Bill. I venture to say that much as that speech was admired, there was no portion of it which gave such entire satisfaction to the English and Scotch supporters of his Government as those sentences in which he declared, in language that could not be mistaken, that the day for concurrent endowment had gone by for ever. But what took place on the opposite side of the House? The language of the right hon. Gentleman the leader of the Opposition was not so emphatic or precise. He let fall some doubtful phrases on the question of concurrent endowment. What was the result? It was perfectly well known that alarm and dismay spread through the ranks of his party, and in order that he might not be misunderstood, the right hon. Gentleman took care in a speech which he made a few days afterwards to prove to his party and to the country that between himself and the Prime Minister there was not on the question of concurrent endowment the slightest difference of opinion. It is scarcely necessary for me to say anything further, except to thank the Government for having done everything in their power, in accordance with their promise, to facilitate the passing of this Bill; and to commend with confidence the measure to the favourable consideration of the House in the belief that, if it should become law, it will introduce a great reform, remove a crying injustice, and place Irish University education in a more satisfactory position than it has ever yet occupied.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Fawcett.*)

Mr. MITCHELL HENRY, in moving as an Amendment the following Resolution:—

"That this House fully recognises the importance of an early settlement of the question of University Education in Ireland, but is of opinion that such legislation can be more satisfactorily entered upon after the House has been put into possession of full information as to the opinions and wishes of the several Academic Bodies existing in Ireland, and of the Irish people generally, especially of the classes practically interested in the question, by means of a Royal Commission, with instructions to take evidence and report before the opening of the next Session of Parliament,"

said, that in attentively listening during the last three Sessions to the discussions which had taken place in the House on the subject of University education in Ireland, and in reading the reports of the previous debates in *Hansard*, he often found himself pausing to ask whether they really lived under a constitutional Government, in which theoretically, at least, the consent of the governed was necessary to the making of the laws, or whether, on this subject they had not gone back to earlier times, when either the word of the monarch or that of an oligarchy governing in his name imposed its will upon a reluctant people.

He did not suppose that the most uncandid or the most willing self-deceiver could persuade himself that the University reforms which the House of Commons had so long been endeavouring to force on Ireland met with the approval of that country, or that the Bill now before the House, in its third scene of transformation, in any considerable degree responded to their wants and wishes. Well, but it might be said Ireland was only a portion of the Empire, and she must be content to be bound by the majority in Parliament, whether she liked it or not. As a general rule, he did not for a moment dispute that proposition. In matters that were in themselves indifferent, as well as in the greater questions of peace and war, or of colonial and foreign policy which concerned the Empire at large, no one denied it. But in matters that touched the interests of Ireland alone, that trenched upon the religion and the honour of her people, but did not in any way affect the interests of England or Scotland, it was a different thing; and notwithstanding the threatenings they had heard, both inside and outside that House, as to the necessity of teaching the Irish a lesson of obedience and submission, he believed that in cooler moments Parliament would shrink from enacting laws on a domestic subject, contrary to the advice of the large majority of the Irish Members, and to the remonstrances of the people.

The history of this country was full of warnings against the political pedantry of legislating on abstract theories of right, without taking account of what were scoffingly called sentimental grievances, or studying the characters and the prejudices of nations. No man could pretend to the character of a statesman unless he was careful that his measures harmonized with the traditions of the people, and had their sure foundation in the loyal approval of the public. It was the neglect of this that had wrecked the present Session, and he should have thought that even the most adventurous spirit would have felt inclined to pause, and ask himself the question whether the Government and the House of Commons had not signally failed to measure with accuracy the depth of Irish feeling in these matters. The torrents of contempt and insult which had been poured out on the country by the right hon. Gentleman the Member for Liskeard (Mr. Horsman), and by the hon. and learned Member for the City of Oxford (Mr. Harcourt), imitated as they were in the petty sarcasms of inferior orators, had caused the Irish pulse to beat more tumultuously than for many a year, and that of itself constituted a cogent argument for moderation and inquiry. By his Amendment, therefore, he asked the House to pause and think what they were legislating about, and not, as a sort of homage to the repealers of the 25th clause of the English Education Act, to unite in passing in hot haste a measure which, whether it was in itself a right or wrong one, could have no perceptible effect on Catholic grievances, and was calculated only to blind and deceive the public. From the way in which the measure had been pushed forward to the detriment of all other public business, it might be supposed that there was some crying evil that it was calculated to remedy. The fact was, however, that the tests which now existed at Oxford and Cambridge were far more disabling and onerous than they were at Trinity College. Yet he was persuaded, notwithstanding all the discussions on the subject, that there was a firm impression diffused throughout the country that the portals of Trinity College bristled with tests which forbade the entrance of Dissenters and Roman Catholics, and that hon. Members who had charge of the Bill were gallantly fighting against an exclusiveness which had no parallel in the English Universities. Even the hon. Member for Bradford (Mr. Miall), who spoke as an organ for the Nonconformists, was so imperfectly acquainted with the facts, that he supposed that tests on the taking of ordinary degrees had only been abolished since the disestablishment of the Protestant Church in Ireland. He had never known so large a club used to knock down so small a fly as the present Bill. A good deal more than half a century before the English Universities even mooted the question of tests, Trinity College had received and educated and conferred degrees on numbers of Roman Catholics and Dissenters, just as freely as upon Episcopal Protestants. Nearly 20 years ago, a considerable number of Scholarships were thrown open, and at the present moment tests were imposed only on the Provost, the Fellows, and the Foundation scholars. He wished, therefore, to state as clearly as he could the exact position in which the matter stood, in order that the country might not be misled as to the value of the Bill in the settlement of the difficulty.

He would show that if, by any chance, a Dissenter or a Roman Catholic should be elected to a Fellowship at the next examination in the course of the present summer, by no possibility could he become a member of the Governing Body of the University, or in the smallest degree influence its policy or proceedings in a less time than between 30 and 40 years. Up to 1840 there were 25 Fellowships in Trinity College. In that year, however, by a Queen's Letter, 10 others were added; but as two had since been suppressed, there were now only 33 Fellowships, and of these the seven Seniors, together with the Provost, constituted the Governing Board, who controlled the finances, regulated the affairs of the College, and appointed all the Professors. Now, in the 20 years from 1853 to 1873, there had been 15 elections to Fellowships, and as the oldest of the Junior Fellows was appointed on the new foundation in 1841, it followed that although he had been for 32 years a Fellow he had not the smallest influence on the governing policy of the College. The effect, also, of the increased number of Fellowships on the age of the Governing Council had yet to be tried, because the seven Seniors were now taken from a body of 33 instead of, as before the Queen's Letter, from a body of 25. There was another point to be considered, and it was this—Vacancies in the Fellowships occasionally occurred from the acceptance of College livings; but as College clerical patronage had been done away with, that stimulant to the retirement of Fellows was now at an end, and his belief was, that the period of the service of a Junior Fellow would in future very likely exceed rather than fall short of 40 years, so that if the gentleman, whose case was cited as a hardship by the hon. Member for Brighton (Mr. Fawcett), were elected a Fellow next June he could not take any part in the government of the University for two generations, and certainly that state of things did not present a very crying Catholic grievance to Parliament. A glance at the manner in which the Fellowships had gone since 1840—within the lifetime of most of the present Senior Fellows—would illustrate the point. The Provost became a Fellow in 1824, remained 19 years a Junior, and was elected a Senior exactly 30 years ago, thus extending his career to very nearly half-a-century. The service of the others as Junior Fellows before they got on the Governing Body extended as follows:—15, 16, 19, 18, 23, 26, 29, 29, 31, and 30 years, when the youngest of the Seniors was elected—the well-known and highly-distinguished Dr. Jellett. The present Junior Fellows had served as follows:—one of them 32, and the others respectively 31, 30, 29, 29, 28, 28, 27, 26, 25, 25 years, so that if the junior of the number who was elected in 1848—that is, 25 years ago—became a member of the Governing Board within the next 15 years, he might think himself lucky.

But the hon. Member for Brighton, having given up his own inadequate scheme for reforming Trinity College, hoped that Trinity College would reform itself. All experience showed that no profession, or corporation, or College was at all likely to move in that direction. They had, however, a test to put to Trinity College, which was this—In consequence of the abolition of the clerical patronage, extra revenue to the extent of £5,000 a-year, had been placed at the disposal of the Governing Body.

To what purpose would they devote that sum? They might use it to procure the retirement of some of the gentlemen who composed the Governing Body. Would they do so? He had no desire to say anything that was not respectful of the Senior Fellows, but he could not help remarking that the work of the College was done by two or three Fellows, for reasons connected with age, health, and other matters to which he need not further allude. There was another purpose to which they might apply the £5,000 a-year. They might endow Chairs for some of their Catholic compatriots for whose welfare they had lately manifested so much solicitude. He hoped that if the subject came up again next year inquiry would be made as to what had been done with this revenue.

The next thing to which the abolition of tests applied was Scholarships. There were 70 Scholarships and 12 or 14 vacancies a-year. In the year 1855, owing to the exertions of the hon. and learned Member for Tipperary (Mr. Heron), a certain number of Scholarships were reserved for Roman Catholics without tests. He would not go into the question of how those Scholarships were filled up, but this he would say, that the supply was far more considerable than the demand, and the consequence was, that Churchmen had been appointed to some of the Scholarships in question, simply because there were no Roman Catholic candidates for them. The last appointment of a Roman Catholic to a Scholarship under that system was made in the year 1868. The House would therefore see that the proposed reform was not required by Roman Catholics or Dissenters so far as Scholarships were concerned. Then again there were two University studentships to be won without tests. They were worth £100 a-year each, and were tenable for seven years, but since 1859 they had been gained only three times by Roman Catholics.

Then as regarded the Professorships, which had long been free from tests, it seemed to have been the general rule to elect any Fellow or ex-Fellow to a Professorship in preference to any other person, and to give the appointments to the Senior of the Fellows or ex-Fellows who might apply for it. This did not look very favourable for the early success of Roman Catholics and Dissenters who were to be elected after the present Bill became law, for only last year the Chair of Moral Philosophy was filled up by the appointment of an ex-Fellow of 30 years' standing who had a parish in the country. Except, indeed, in the case of a gentleman who held a small post in the Medical School, he believed there was not a single Roman Catholic Professor, although there formerly was one—Mr. Slattery—whose appointment did duty in these debates pretty often before. The Governing Body had, however, an opportunity of electing a Professor last November to lecture on the important subject of Moral Philosophy—a subject the right hon. Gentleman at the head of the Government desired should not be taught in Trinity College, and well-advised the right hon. Gentleman was in inserting that provision in his Bill, as the facts he was about to state would show. The Board might have appointed any person—a Catholic in case one had come forward—and they did elect a most distinguished individual, who had been Fellow 30 years ago, and who, since that time, had been rector of a parish in the county Tyrone. Dr. M'Ivor based his claims to the Chair of Moral Philosophy chiefly in his exhaustive work called *Religious Progress*, which consisted of a series of University Sermons preached in the College chapel, and elaborated with copious notes, in which he reviewed the metaphysical systems of Comte, Buckle, Parker, Ferrier, Sir William Hamilton, and the late Dean Mansel, complaining that Dean Mansel, in his metaphysics, put restrictions upon religious criticism which did not apply to other subjects. Dr. M'Ivor then added—

> "If we be debarred from criticism, we may as well acknowledge at once the infallibility of the Pope and the last Roman development—there is no God, and Mary is His mother."

Again, he said of the doctrine of transubstantiation—

> "By a simple transference of objective value to a subjective process, sustained by logical deduction from indiscriminate words, the minister of the largest Church in Christendom first makes, then worships, and then"—the fact is too shocking to be less figuratively expressed—" 'receives' his God."

On the same point, Dr. M'Ivor added—

> "Paganism has seldom surpassed this, and the indignation of every other Christian community is abundantly deserved."

Were Roman Catholics to be attracted by a University which selected as its latest Liberal Professor, a teacher who used such language as that respecting the holiest mysteries of their religion? Was that an example of the religious tenderness of Protestant Trinity for Roman Catholic consciences; and did the House now believe that it was only tests that kept them away? The hon. Member for Brighton, pleading last Session in a transcendent effort of memory for those whom he thought, probably with justice, the downtrodden people of India, denounced the proposal to charge the water rate even on persons making no use of the irrigation works as "paternal government with a vengeance." He would quote his very words, and then ask his hon. Friend if he had one standard of justice for the people of India and another for the people of Ireland?

> "Is it any wonder," said he, "that the people are irritated, perplexed, or alarmed? It has been argued in justification of such a policy that the people who refuse to use the water do not know their own interests, and they ought to be compelled to do that which is good for them. This is paternal government with a vengeance."

Substitute the word "College" for the word "water" and the cases are precisely alike; yet now his hon. Friend seemed to argue that because the unfortunate Roman Catholics did not avail themselves of the education provided for them in Trinity College, they did not know their own interests, and ought to be compelled to do what was held by others to be good for them. Instead of allowing the Roman Catholics to have a College of their own, it was proposed to subject them to be lectured to by persons who spoke in the manner he had just described. Now, did the House deliberately believe that the abolition of tests in the case of a Fellowship which was thrown open about twice in every three years, and the addition of a few Scholarships, were reforms worthy of the fuss made about them, or that they would be regarded by the Irish people as anything but a mockery designed like the ink of the cuttle-fish to obscure and delude?

No, it was not tests that kept Roman Catholics away from Trinity College, but it was the Protestant tone and nature of that institution, of which they could not deprive it, and of which Roman Catholics did not ask that it should be deprived. It seemed to him most narrow and illogical to argue that because in Protestant England and Protestant Scotland we had of late years altered the course of our educational policy, we were, therefore, to thrust these new principles upon the Irish people who were not Protestants, and who utterly repudiated them. It was the consent of the governed alone that could make these vital changes even respectable. He thought they ought to be content with trying these experiments upon those who desired them. If they could prove to him that the majority of the Irish people desired that secular education should be perpetuated in that country to the exclusion of any other, and that henceforth religion should have nothing to do with learning, however he might regret it he would yet keep silent; but, on the other hand, if the contrary was notoriously the case, he would take leave to observe that in thus trampling upon natural justice and the equity of the Constitution, they were undermining the stability of the Empire, and were preparing for their children a heritage of disaster and disgrace. He would urge Nonconformists, if they desired University secularization, to deal with Oxford and Cambridge, where most of the Heads of Houses and Fellows were required to be members of the Church of England, and before legislating for Ireland to inquire how the case stood. The Amendment which he had placed upon the Table suggested that the House should pursue the course which was at once in accordance with the Constitution and with common sense. The House, he apprehended, was still very imperfectly acquainted with the question of higher education in Ireland. The tests that remained in Trinity College he had shown to have but an infinitesimal bearing on the large question to which they formed a prelude. He knew from the recent debate in the Senate, that there was a very wise, far-seeing, and Liberal element amongst the most experienced and distinguished men in Trinity College; and he thought it was important that their evidence should be put before the country in black and white, so that when Parliament legislated it might do so with full information before it and in a manner likely to be final and satisfactory. He wished the available testimony upon all sides to be brought out. It would be well to hear what the Presbyterians of the North had to say; what Magee College had to say; what representatives of the Catholic clergy had to say; what the Catholic University had to say; what independent Catholic laymen had to say; and what Trinity College itself had to say, not merely in the contradictory resolutions of its Governing Body, but in the testimony of its individual members. Such an inquiry need not occupy a considerable time. He, for one, did not question the desire of the right hon. Gentleman at the head of the Government to do what was just and right, but he did feel that he had been wofully misled. Whatever determination Parliament eventually came to, let it not be the legislation of a *Parliamentum indoctum*, properly so called. The Government Bill, a marvel of ingenuity, had miscarried, and, as far as could be judged from the remarks of a leading Member of the Ministry, they did not intend to trouble themselves further with the matter, but would leave it to the miserable reform inaugurated by the hon. Member for Brighton. Irish Members had with unanimity rejected a measure based on mistaken estimate of Irish feeling, and inquiry should precede a renewed attempt at legislation. That was no pretext for delay, since the Commission might easily report before next Session, and the Irish would thus at least have the compliment paid them of an inquiry into their own wishes.

As for the alleged definitive divorce between religion and education, the Nonconformists up to a few years ago objected to any Government interference with education, and the constant disputes in school boards on the manner of teaching religion—a lady at Manchester had recently spoken of certain passages from the Scriptures as "raw head and bloody bones mottoes"—showed that no such divorce had been effected.

It had been said that the Irish Members factiously joined with the Opposition to discredit the Government University Bill. No statement was ever more devoid of truth. It was with the deepest pain that the Irish Members, who acknowledged the services of the present Government, and especially of the right hon. Gentleman at its head, were compelled in their consciences to take the course they had pursued. The Leader of the Opposition had told them in pretty plain language that he intended to go to the country on what was called the "No Popery" cry. Now, he trusted that the Conservatives would go to the country on that cry, because he believed it would bring about such a union among the Roman Catholics of this country as would produce a marked effect upon that House. By an abuse of language, those Members who wished to obtain for the Irish people common justice in the matter of education were called Ultramontane Members. There was nothing like giving a name that everybody could remember, and a few appeared to understand. The term "Ultramontane" originally meant those who did not acknowledge the authority of the Pope; but by a strange perversion it was now applied to those who were supposed to be anti-British in their policy. However, it enabled British bigots of all classes, wherever they were to be found, to associate themselves in mind with the policy now being adopted in some foreign countries. "Concurrent endowment," another term used in these discussions, appeared to have a peculiar charm for those who so earnestly desired the repeal of the 25th clause of the English Elementary Education Act. The Irish people, however, could not understand on what religious or Christian plea those unhappy parents whose poverty rendered them unable to pay school fees were not to be allowed to have a conscientious feeling in regard to the education of their children. In conclusion, he urged that they should first inquire into what the Irish people desired, and then he believed it would be admitted that what the Roman Catholics asked for was just, and that by granting it they would promote the prosperity of the Empire and advance the cause of religion and of order. The hon. Member concluded by moving his Amendment.

MR. HERON, in seconding the Amendment, said, that he believed he was the only Member of that House who had suffered from the tests referred to by the hon. Member for Brighton (Mr. Fawcett), he having been deprived of the Scholarship which his industry had won because he was a Roman Catholic. That, however, did not prevent his using to the utmost all the advantages of the University of Dublin, where he received a splendid education, and where his intercourse with the Fellows, students, and scholars had been most satisfactory. An honourable rivalry existed, not only in the examination and the lecture room, but extended also to the rowing club, the cricket field, and the athletic games, and he believed it to be of the greatest use that young men of different opinions should, along with their studies or their recreations, learn to know and love one another. It was his candid opinion that there were few men who had been at the great Universities of Oxford, Cambridge, and Dublin, but would say that their best friendships had been formed in them, their dearest recollections were associated with their University days. He must, however, confess that he felt himself in a difficult position, for he was not desirous for one moment to appear to delay the removal of those tests by which he had himself been a sufferer. But there were other considerations. It gave him great pain to hear quoted what was said in a public sermon in the University Chapel by Dr. M'Ivor; for in his own University experience he felt himself perfectly free, and no attempt was made to tamper with his opinions, although he was aware that there had been for years a most disgraceful system, not yet discontinued, of what was called "turning" Roman Catholic students for Scholarships. If the hon. Member for Brighton passed this Bill, this system of turning for scholarships would terminate, but the feeling of Ireland would not be satisfied with the removal of tests. There were two matters which greatly attracted the attention of the Press and of Parliament as regarded Irish University education. One was the general demand for denominational Colleges united to a National University; and the other was the objections which Roman Catholic Bishops and priests naturally had to entrusting, as this Bill would do, the education of Roman Catholics for the next 30 or 40 years to the Protestant ecclesiastics of the University of Dublin. For instance, the late Archbishop Whately held a distinguished position on the Board of National Education in Ireland; he was looked upon as a most liberal ecclesiastic, and for 25 years it was thought that he would honestly endeavour, in co-operation with Dr. Murray, to carry out the national system, and would do nothing against the Church of Rome; but his conversations with Mr. Nassau Senior, which had been published, told a very different tale. In one of those conversations, Archbishop Whately said, that for 20 years extracts from the New Testament had been read in the majority of the National Schools far more diligently than was usual in ordinary Protestant places of education, and those extracts contained so much that was inconsistent with the spirit of Romanism that it was difficult to suppose anyone well acquainted with them could be a thorough Roman Catholic. And in another place he said—"We are undermining the whole structure of the Roman Catholic Church in Ireland." When it was found that for 25 years of his life Archbishop Whately had been acting in this manner, it was no wonder that the Roman Catholics distrusted those who had charge of education in Trinity College. He looked upon the abolition of tests as a very small matter, affecting a very small number of persons; for if tests were removed he calculated that there were would not be for the next 80 years five Roman Catholic Fellows of Trinity College, although, no doubt, there would be many Roman Catholic students and scholars. The Bill, however, did nothing but remove tests. The hon. Member for Galway (Mr. Mitchell Henry) had told the House that £5,000 a-year would fall into the hands of Trinity College. Why, that sum might be appropriated to putting an immediate Roman Catholic representation upon the Board of the College, in order to protect the interests of the Roman Catholic students. The great objection, however, which Roman Catholics had to entering Trinity College was that it was a Protestant institution. In his own case he had heard Mr. Justice Keating declare that the reason why the hon. and learned Member could not obtain the Scholarship he had won was not that there was anything in the tests or in the oath which forbade it, but because Trinity College was a Protestant institution, and those to whom its endowments were committed would be violating their trust if they gave any portion of those endowments to Roman Catholics. In fact, the whole system of Trinity College was anti-Catholic, and would remain so for a considerable time. Having cited the authority of Mr. Chichester Fortescue, in 1872, to show that, as to higher education in Ireland, there was a great want, which was felt by all classes of

Roman Catholics, the hon. and learned Member said that, while the endowments of Oxford and Cambridge were originally given by the Catholics of the Middle Ages — the total revenues of Oxford being £174,570, and of Cambridge £145,269, besides 736 livings valued at £132,860 per annum—Trinity College had only about £40,000 per annum, and about £5,000 per annum would come from the recent sale of the advowsons. Why, he asked, should not some portion of the educational endowments of the Middle Ages be given to Roman Catholics, whose ancestors had founded them? He did not put the matter on the ground of any hereditary right, though it was true that most of the endowments at Oxford and Cambridge had been given for masses for the souls of deceased benefactors; but the ground on which he wished to put it was this—if there were Catholic education provided for in Ireland by a great Roman Catholic University, the Roman Catholics not only of the United Kingdom, but of the Empire, would resort to it; and these, it should be remembered, were nearly 10,000,000 subjects of the Queen, and paid something like £20,000,000 annually in taxation. Why, then, should not a large sum be paid for the endowment of a denominational College? The hon. Member for Galway had also said that the right hon. Gentleman the Leader of the Opposition might, at the next General Election, go to the country on the "No Popery" cry. He did not agree in that opinion, because the right hon. Gentleman said, in a speech on the 3rd of April, 1866—

> "In the same spirit we have brought forward a proposal to grant a Charter to a Roman Catholic University. That proposal was perfectly consistent with the principle we have laid down, that in Ireland the true and wise policy is to create and not to destroy, and to strengthen Protestant institutions by being just to the Roman Catholics."

Now, he would ask that House, whether they wished to destroy the Protestant character of Trinity College, as would be done by that Bill; for under it the Provost, or the Regius Professor of Divinity, might be a Mahomedan — he might be of any religion or of none. Yet that institution was founded by Queen Elizabeth for the propagation of Protestantism. The Queen's Colleges it must be admitted had been successful in educating young men for high positions, but they had not been successful in satisfying the people of Ireland; and if in times past Trinity College had understood its mission, it might have been opened to Roman Catholics and Dissenters, and might have been the National University. The hon. Member for Brighton said—"Let the College reform itself." But it had been found by experience that this process of self-reformation was a very slow one. In 1794 the lower grades of University education were opened to Roman Catholics, but no further steps in the same direction had been taken by Trinity College, with the exception that 10 years ago it established some Scholarships which were open to Roman Catholics. In a speech which Lord Derby delivered at Liverpool he referred to the fact that Parliament had maintained the denominational system, and that it had done so in accordance with influential opinion, and because there were facts which Parliament could not ignore. He therefore desired to know why this Bill was to be forced upon the House. Though he had no doubt that under it some Roman Catholic young men would undergo the great labour required to obtain Scholarships, Studentships, and, in the course of years, some four or five Fellowships; yet this he could say from his knowledge of the great body of Irish Roman Catholics, that they would abstain from sending their children to the University of Dublin. He regretted that; and if he could see any possibility of safeguards for Catholic education, he would wish Roman Catholics and Protestants to be educated together. To force through the House and upon the Roman Catholics of Ireland, a measure with which they were discontented, was a very serious step to take. He regretted that Roman Catholics were still in large numbers excluded by the laws from what ought to be the National University of Ireland, for a National University was one of the noblest institutions of civilization, and they might still see it in Ireland; but it could never exist there, whilst the Catholic religion and the Catholic people were excluded from it by the State.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House fully recognises the importance of an early settlement of the question of University Education in Ireland, but is of opinion that such legislation could be more satisfactorily entered upon after the House has been put into possession of full information as to the opinions and wishes of the several Academic Bodies existing in Ireland, and of the Irish people generally, especially of the classes practically interested in the question, by means of a Royal Commission, with instructions to take evidence and report before the opening of the next Session of Parliament,"—(*Mr. Mitchell Henry,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

The O'DONOGHUE said, he objected to the Bill as being an indirect and unworthy attempt to force upon the people of Ireland a University system against which they had solemnly protested. He was astonished that the hon. Member for Brighton (Mr. Fawcett) should persevere with the measure in opposition to the wishes of the majority of the Irish people, for such a course was a direct violation of the principles which ought to govern a member of the Liberal party. The bigotry of former times prescribed a religion for Ireland; it now formulated a University; but the people of Ireland had adhered to their religion, and Parliament had withdrawn from the attempt to supersede it. He believed they would adhere to their resolution on the subject of University education, and that Parliament would in like manner endorse their programme. He could not say whether it was a habit with hon. Members on festive occasions, or at any other periods, to discuss points of belief, but he could say it was not his habit to do so, and that during the many years he had sat there, and during the many pleasant hours he had passed in the society of his hon. Friends, he never had the curiosity to inquire what interpretation in the exercise of their private judgment they thought proper to put upon the Scriptures. But if the course of the hon. Member for Brighton were generally adopted, Irish Members would be reduced to the position of mere delegates. They would cross the Channel to lay the demands of their constituents before a body of Scotch and English gentlemen, who would determine upon them according to the views of their constituents, without regard to the electors of Ireland. In other words, the representation of Ireland would be a sham. Fortunately, however, that had not been the case hitherto, for it was incontestable that in the oligarchical Parliaments which had sat since the Union, measures dealing with the domestic affairs of Ireland had been virtually settled by the Irish Members alone so far as they had sought to do so. Was that state of things to be reversed in the more democratic Parliaments of the present day? No. The hon. Member for Brighton was therefore urging the House to take a most unprecedented step, and if it was taken the most disastrous consequences would ensue. Who had suggested that course to the hon. Member? Certainly it was not the Roman Catholics; for they altogether repudiated the interference of the hon. Gentleman, and regarded it as an offensive meddling and gross outrage against their rights. Did the Episcopalians call in the services of the hon. Member? He (The O'Donoghue) could not believe they did. Then, if the hon. Gentleman were acting on behalf of anyone, he must be acting on behalf of the English and Scotch advocates of the mixed system, through whose instrumentality he hoped to impose that system upon Ireland. He could imagine that a stranger might mistake points on which Irishmen differed. Let it not be supposed, however, that the Irish were indifferent to education; they were anxious their children should excel in literature, science, and art; nor did they deny the capacity of the mixed system to produce the best specimens in every department of learning. The only point of difference between them was the channel through which religious instruction should flow. If the people of the United Kingdom were all of one religion these disputes would never have occurred; but it should not be lost sight of that in the opinion of the Irish people education may become, under certain circumstances, a source of the greatest danger. He held that the channel through which education was to reach their children must be freed from any taint of unbelief. Admitting that faith was a treasure to be preserved, it might be urged that each one should be allowed to have his own opinion and keep it to himself; but the course taken by the hon. Member for Brighton rendered this impossible, because the hon. Member sought to impose on the Roman Catholics a University system which they regarded as incompatible with the preservation of revealed truth. If Parliament then became an abettor of the hon. Gentleman, it could not be exonerated from the charge of being his accomplice in an act of the most wanton tyranny. He (The O'Donoghue) represented an Irish constituency, and what he had to consider was whether the demands of his constituents were just and reasonable, and whether the question was one on which Ireland, notwithstanding her position as part of the United Kingdom, had a right to take independent action. It seemed to him that the demands of his constituents in this instance were perfectly just and reasonable, and that the right of Ireland to take independent action in the matter was also equally clear. He therefore would not believe their prayer was spurned, because the hon. Member for Brighton preferred a mixed system. Was it possible to conceive of anything more utterly at variance with the spirit of the constitution than that Irishmen were no longer to have the management of their own purely domestic concerns? They were told that they must educate their children as Englishmen and Scotchmen thought best, or else subject them to disadvantages from which they could not free themselves. Was he to be told that he was not a Liberal for taking this view? Professor Goldwin Smith, of whose liberality there could be no question, had condemned the Liberal party for its policy on the subject of Irish education, pointing out that, like the Roman Catholics of Canada, the Irish Catholics ought to have, and must have, Colleges and Universities of their own. The Irish people now had free votes, and would certainly use them for the purpose of throwing up around the Church they loved the strong outwork of Catholic education. Englishmen and Scotchmen could not say "the question is as much ours as yours; it is not one which you could expect to decide for yourselves." The question was one which practically concerned Irishmen alone. Englishmen or Scotchmen had no interest at all co-equal with theirs, and had no more right to impose their views upon Ireland than upon Canada, where the existence of the denominational system had not impaired the loyalty of Canadian Catholics, though they were some thousands of miles removed from the Mother Country and close by them was the great Republic with its abundant fascinations. Moreover, this was not solely or even mainly an academic question. The issue to be determined was, not which system would give to Ireland the most intellectual culture, but whether the system of higher education to be established there was that preferred by Englishmen and Scotchmen, who had Colleges and Universities of their own, or that preferred by the immense majority of Irishmen, whose position as regarded University education was declared by the Prime Minister to be so scandalously bad as to constitute a distinct religious grievance. It was a question in which, while England and Scotland practically had no interest, Ireland had a vital interest, for at that moment she was more profoundly agitated than at any period of her history, and the agitation was not confined to politicians, but permeated the whole of society, extending even to those who hitherto had kept aloof from agitation. All felt that the decision of the Imperial Parliament would affect not merely the education, but the loyalty of Ireland. For the first time in Irish history, the electoral body were free to use their privileges as they thought proper; they were making demands which they well knew to be just, and they would not be put off with what Englishmen and Scotchmen thought was justice. They would test what was offered to them by the immutable principles of right and wrong, and would decide for themselves whether it was worth their acceptance. The demands of Ireland could not now be postponed or ignored with the impunity of former times, for while formerly large numbers of Irishmen could not take the part they wished to take in politics without ruin to themselves and their families, now the whole Island was instinct with the consciousness of political power and the determination to take part in politics; and every blow struck at a just cause, such as the cause of Catholic education for Catholic Ireland, vibrated with intense force throughout the whole social fabric. Therefore, in every part of Ireland, and by every class, the policy of the Imperial Parliament on this question was being discussed; and impressions the most unfavourable to the justice of the Imperial Parliament had been created. For obvious reasons, many persons rejoiced at this state of things; and among the 4,500,000 of Catholics, out of a total population of under 5,500,000, no one dared to stand up and justify the Imperial policy. That policy, moreover, had given new arms to the advocates of Home Rule. How, for example, could he go down to Tralee and justify a system which withheld from Irishmen the management of their own schools? What chance had he against a man who, before a patriotic people, recalled the memory of the past, and, pointing to recent events, told the people to be convinced that union with Great Britain meant the abnegation of the most ordinary rights of manhood—a state of subjection and degradation to which none but slaves would reconcile themselves. Was redress impossible? He had too much faith in the innate justice and wisdom of Great Britain to believe that it would not settle this question of Irish University education in accordance with the wishes of a majority of the Irish people, and that there was nothing left for Ireland but to resort to a desperate agitation. If Her Majesty's Government or those entitled to speak on behalf of the people of Great Britain would say that this question should be decided in accordance with the wishes of the Irish people, such a statement would produce an incalculably beneficial effect upon the state of public feeling in Ireland, and while saying that, he would remind them that there never was such an opportunity of establishing the Imperial Parliament in the confidence and loyalty of the people of Ireland. That that opportunity might be availed of he earnestly hoped as one who, although a Catholic and an Irishman, had at heart the glory and prosperity of England, and who was also sincerely anxious for the consolidation of the Empire of the Queen.

Mr. AGAR-ELLIS said, that his objection to the Bill was that it did not go far enough. It was no settlement of the question. He thought that the Government might when eating their leek, have eaten the whole of it; and, if they had adopted the Bill No. 2, of the hon. Member for Brighton (Mr. Fawcett) they would have done all that could be done in reference to this question. In Committee it could have been amended so as to accomplish all that could be accomplished on this question. Something could be done for the reform of the University or College, but the chief thing was to remove the tests. He did not know that a Royal Commission was necessary to effect that, neither could he make out what the object of the hon. Member for Galway's (Mr. Mitchell Henry's) Amendment was, as they surely all knew sufficient about the question to form an opinion upon it. It looked very much as if mere delay was the object. The hon. Member for Tralee (The O'Donoghue) had complained that the wishes of the Irish people were not understood in this country. He (Mr. Agar-Ellis) thought if his countrymen would drop rhetoric and oratory a determination of this question would be the sooner arrived at. Now, supposing that 80 Home Rule Members were returned to the next Parliament, everyone knew that they would go into the lobby alone if they tried to induce the House to adopt the principle of denominational education, so that those who were most in favour of denominational education would gain nothing by the delay. As the Bill, however, abolished tests, he would vote in support of it, on the ground that half-a-loaf was better than no bread.

Dr. BALL said, he should vote for the Bill on the grounds he had stated in 1869, and afterwards in 1870, when the subject then came before the House. Those grounds were, that as far as the Bill went, it appeared to be the necessary corollary of the Disestablishment Act which had been passed as regarded the Irish Church. Now, why did he say that? The University of Dublin and Trinity College were undoubtedly founded by Queen Elizabeth in connection with what was termed in her statute the "Ecclesia," or Church, and her idea of the "Ecclesia" or Church, was that of a State Church. There was, however, no definition in her statute of any particular system of doctrine. There was simply an indication on the face of it that the institution was connected with the Church, but by the 2nd of Elizabeth certain services were pronounced to be the only services to be celebrated in the country, and which all persons in Ireland were obliged to conform to and attend. The legal interpretation, therefore, became this—there being legislation of this particular character, and the institution being founded in connection with the Church, it was plain that the whole policy of the institution in its original foundation was in connection with the State Church. Now, as long as that Church continued to be the State Church there was great reason for saying that Parliament had no right to meddle with the character of the Fellowships which constituted the Governing Body under the original foundation. And, further, there was very high authority for holding that Trinity College, Dublin, could not be opened with any propriety until the Irish Church was disestablished. That authority was Sir James Graham, who in this House as Home Secretary, in 1845, when the Queen's Colleges were founded, distinctly stated, in his speech introducing the measure, that the grant of property to Trinity College, Dublin, had been made for a special object—namely, an object in connection with the Irish Church, and in connection with the education of clergymen for it. The same authority also stated that the Government of which he was a Member would never, as long as that Church existed as a State Church, agree to interfere with the peculiar character of the institution. But all that was altered the very moment a measure was passed declaring that the State had no connection in Ireland with any form of religious belief or worship whatever. The House, moreover, should mark that the endowment of Dublin College did not come from private individuals or private sources, and that there was no resemblance between that endowment and the endowments of the Colleges of Oxford or Cambridge. The property of Trinity College, Dublin, was property granted by the Monarch of the day out of confiscated property; and whenever Parliament passed a Bill disestablishing the Irish Church, not only did it declare that the State had no connection with any form of religious worship, but the Bill also virtually adopted another principle—that the Royal Grants made for purposes such as that for which the endowment of Trinity College had been granted were capable of being dealt with by that House precisely on the same grounds and principles as Parliamentary Grants. Now, in his judgment, the question of University education in Ireland might have arisen if Parliament never had disestablished the Irish Church, and he believed that it had actually arisen, for whether they were to have one University for the whole Island, or several Universities, was a question as capable of having and demanding consideration the day before the Irish Church Act was passed as the day after. Whether they were to have the one or the other, and on what footing the one University or each separate University was to be constructed, were equally questions then as now; but they were all involved in the logical consequences flowing from the Irish Church Act. Although he voted for the Bill of the hon. Member for Brighton in 1870, he at the time thought it did not form the be-all and the end-all of the question, for an instantaneous claim arose, which required to be considered in every academic aspect—that for the Disestablished Church of Ireland provision should be made of an independent character, to aid and assist in the education of its students of Divinity. He would admit that the right hon. Gentleman at the head of the Government had very fairly acknowledged that claim in the measure he had introduced, though the provision he had made to meet it was wholly and utterly inadequate. He wished to state why he considered that the Disestablished Church of Ireland had a claim which would not be satisfied by a Bill of this character, and the reason he would assign was, that the matter arose out of the mode in which they had dealt with the College of Maynooth. Notwithstanding all the debate that had taken place there was still no full and complete knowledge upon that matter. What was Maynooth? It was not a College for the Roman Catholic Body generally, but it was an institution for the education of the Roman Catholic priesthood alone. Originally it was intended that it should be an institution for the Roman Catholic Body generally, and Mr. Burke was the person who first pointed out that that could not be in accordance with the Roman Catholic system. That he did in *A Letter to a Noble Lord in Ireland*, who there was reason to believe was a Member of the Government of the day. In that letter Mr. Burke said that from the nature of the Roman Catholic priesthood members of that Body could not be educated with laymen. First, he said that the nature of the office was such that persons intended for it must from an early period be trained apart, and under such circumstances that no external influence could impair their view of the office which they would undertake. Secondly, he said, that from the institution of the celibacy of the clergy, it was necessary that the priesthood should be trained up in such a way that doctrines and opinions inconsistent with that view should not be suffered to disturb the belief which they were to be educated to administer and adopt. Further, by the Council of Trent it was provided that, after such persons had been in seminaries they should receive in a special institution instruction in those particular doctrines and parts of the system. The consequence of all this was, that Maynooth was an institution founded for priests only. Now, what was the position when they came to the Irish Church Act? Maynooth had no claim upon the funds of the Disestablished Church; but, it being an establishment for the education of priests only, they gave it from those funds £400,000, which was indeed called compensation for life interests, but which would be used for the purpose of educating the priesthood. Now what he said was this—that for exclusively religious purposes the Disestablished Church of Ireland had a claim for assistance for itself out of the very same source, the Surplus Fund. The present measure, therefore, would be a wholly inadequate one, unless in some other measure it was provided that there should be provisions for dealing with this matter. Again, in dealing with the claims of the Irish Presbyterians at the time of the disestablishment and disendowment of the Irish Church, a sum of money derived from the funds of that Church was also handed to them to be applied to the maintenance of institutions for the education of their clergy. Could there, therefore, be a fairer demand than that which he now put forward on behalf of the Disestablished Church, that they should be left the means of educating their priesthood? He did not, however, now bring forward the matter in order to embarrass the present question, but to show that it could not be said that the present was a whole and perfect measure, it being, in fact, but a part of two Bills, formerly introduced by the hon. Member (Mr. Fawcett), and not at all extending to the whole range of the question. That was plain, because it extended only to one single institution, Dublin College and University, and it did not profess to deal with all Ireland. He would merely add that he thought there was too much said about a National University. He did not think it so imperative a part of any scheme of University reform that there need be an essentially National University. There were Englishmen in Trinity College when he was there; and did any one pretend that Oxford, Cambridge, Durham, or London could be called National Universities? When was it thought necessary to lay down this, that a University should be co-extensive with the nation? For his part he much doubted the wisdom of trying to make out that a University should have that character stamped upon it, so that the people of one part of the realm should be led to imagine that they were wholly separate from those who resided in another part of the realm. Why should not students be received into the University from any place, as there were Scotch and Irish gentlemen at both Oxford and Cambridge; and the number of such students was increasing? He was not prepared, therefore, to adopt as a necessity a single institution with some local name, giving an idea of exclusive nationality; because he hoped that Ireland would always be considered as part of Great Britain as much as Devonshire and Cornwall were.

Mr. PIM said, he would support the proposal of his hon. Friend the Member for Galway (Mr. Mitchell Henry), if it were brought forward as an independent Motion, but he could not support it in opposition to the second reading of the Bill of the hon. Member for Brighton (Mr. Fawcett). He had himself, in the year 1868, suggested the issuing of a similar Commission to Lord Mayo, who was then the chief Secretary for Ireland, and he had often regretted that this mode of inquiry had not been adopted, for he felt confident that if this question had been fully investigated before the Government measure on the subject was introduced, the Prime Minister would have had a fuller insight into the feeling of Ireland upon it than he had when he brought forward that measure, and it might have saved him from the difficulty in which he had been placed by his own Bill. He could not, however, vote for the Amendment of his hon. Friend the Member for Galway, because in doing so he would oppose a Bill which he thought ought to be passed. This

Bill was a step in the right direction. It would relieve the Irish Protestants who were not members of the Episcopal Church from the disabilities under which they at present laboured; but it in no way touched the grievances of the Irish Roman Catholics—on the contrary, it would bring them more prominently into view when the Protestant grievance was redressed. The demand of the Roman Catholics for University education of their own was as just now as their demand for emancipation had been 40 years ago, and it would not only be an act of gross injustice, but of most mistaken policy to refuse it, or to regard this measure as an adequate answer to it. There were two points in the Bill on which he felt very strongly. The first was with respect to the present Divinity School of the Disestablished Church, to turn out which he thought would be a great injustice. On that subject he had given Notice of Amendments which he intended to move when the Bill was in Committee. The other point was the right which the Crown now possessed of appointing the Provost—a right which he considered to be of a doubtful character under all circumstances, and the evil of which would be greatly increased when the University was thrown open to persons of all religious creeds. If Trinity College was maintained as the great educational establishment for Ireland, and if the Roman Catholics did not obtain a University or College of their own, they would, of course, put forward their claims to the appointment of Provost; he had no doubt they would be successful, and probably on the next vacancy. Now, he would ask any Irish Member who heard him, to consider what would be the effect of the appointment by the Government of a Roman Catholic to be Provost? He had himself no doubt that it would lessen the Protestant students by one-half. All the objections which had been urged in a former debate against the nomination of members of the Council by Government would apply with equal force to the Government appointment of a Provost. The election ought to be vested in the College itself, and then, while ever the majority of the students remained Protestant, a Protestant would no doubt be chosen for this office. He strongly desired that Trinity College should remain a Protestant institution, and that the Roman Catholics should have an institution of equal position for themselves; and it was only some such measure that could preserve Trinity College as a Protestant institution. But if a Roman Catholic College was established he believed that Trinity College would remain essentially Protestant for very many years, although open to all persons without distinction and without the imposition of any test. He hoped there would be no division against the Bill, but if there was he should feel obliged to walk out of the House. He could not vote against the appointment of a Commission which he so much desired to have appointed, and he would not do anything to impede the passing of the Bill.

MR. SYNAN said, he was surprised at the extraordinary reason which had been given by the right hon. and learned Gentleman the Member for the University of Dublin (Dr. Ball) for supporting the Bill, that he looked on it as a corollary to the disestablishment of the Irish Church, and would ask him how it followed from the passing of that measure that the Protestant Episcopalians of Ireland should not have a denominational College for the education of their children? How also, he should like to know, could the right hon. and learned Gentleman, if he voted for the Bill, refuse to support the hon. Member for Brighton (Mr. Fawcett) when he brought in his Bill No. 4 to complete his scheme, and proposed to take away the endowments of Trinity College and give them to the Irish people at large? If the right hon. and learned Gentleman voted for the present Bill, he must, to be consistent, vote for such a proposal as that, and the endowments of Trinity College must go. For his own part, he approved of the Amendment of his hon. Friend the Member for Galway (Mr. Mitchell Henry); as a substantive Motion, and if he were a Protestant denominationalist, he would raise his voice and second his vote against the measure before the House, but as an Irish Roman Catholic he had no interest in taking that course, and he therefore would confine himself to protest against the attempt to coerce his opinions and those of his co-religionists which Englishmen and Scotchmen dared to make. If Irish Protestants insisted upon turning their denominational College into a secular one, he had no right to oppose them. He ventured to tell his hon. Friend the Member for Brighton, whose good intentions he valued, but whose wrong judgment he did not regard, that there was no difference in Ireland among the Catholics on the subject of education, and that the Irish Catholic Members, though he had succeeded in defeating a Government, would be a power in the House equal to himself, and that upon a question not Imperial, in which the feelings of the people of Ireland were deeply concerned, they claimed to be the best judges of that which was most calculated to promote their interests. He would further observe that when, a short time ago, hon. Gentlemen opposite wished to carry the denominational clauses in the English Education Bill, they would have been shamefully beaten had not the Irish Roman Catholic Members gone into the lobby with them. And what was the return? Those same hon. Gentlemen now threw themselves into the arms of the hon. Member for Brighton. Was that their reward for defeating the University education scheme of the Government?—a scheme, he would say, originally framed in no party view, and brought forward with the very best intentions; but how was it mutilated in its progress? After the attack of the hon. Member for Brighton and his Friends, the right hon. Gentleman at the head of the Government had put up the Secretary of State for War to destroy his own Bill, and the Secularists were told they might do what they liked with the Bill in Committee. Up to a certain point he believed the Bill would have been made better, or, at least not made worse; but it afterwards became clear that it was intended to change it to suit the views of the Secularists, and when Irish Members saw that, it was impossible they could support it. They divided against it; and that was their justification for the vote they had given. Finally, he could not regard this Bill as even a step towards the settlement of the Irish Education question; and, while as a Roman Catholic, he was entirely hostile to tests, he should nevertheless withdraw from the division, and he hoped every other hon. Member who felt as he did would vindicate their position by adopting a similar course and thereby protesting against the Bill and against the sanction which the Government had given it by aiding the hon. Member for Brighton to pass such a measure.

Sir JOHN GRAY said, that while concurring in a great degree with what had been said by his hon. Friend who had just sat down (Mr. Synan), he could not, as a Roman Catholic and a Liberal Member, vote against the second reading of this Bill in its present shape as a Bill for the removal of tests. During the whole of his public life his great effort had been to get rid of tests; how, then, could he vote against their removal? While admitting the difficulty—almost amounting to an impossibility—Irish Roman Catholic Members would experience in voting for the Bill, he thought, however, they would find quite as great a difficulty in voting against a measure which abolished those tests which had hitherto excluded men of the highest character and attainments from those honours and emoluments to which they were fairly entitled because they were Roman Catholics. It had been said that a man's opinions were seldom changed by speeches made in that House, but he confessed he had some difficulty in making up his mind as to the course he should take till he heard the speech of the right hon. and learned Gentleman the senior Member for Dublin University (Dr. Ball). With all deference, he must say he did not think the right hon. and learned Gentleman had expressed the opinion of the Protestant people of Ireland, the Disestablished Church of Ireland, or the Synod which had recently been held in Dublin. Having read the statement made by some of the leading members of that Synod, he thought it might be his duty to vote against the Bill, but after the declaration made by the right hon. and learned Gentleman that he, as representing the Protestant party in the University, was content with this Bill and disposed to accept it, his doubts had been removed. Two of the most eminent men who took part in the proceedings of the Synod declared—and a resolution was unanimously adopted to the effect—that the Bill, if passed into law, would sweep away all religious tests even from the Divinity Professorship, and that a Turk, a Mahomedan, a Buddhist, or a person professing no religion whatever, might become Professor of Divinity in Trinity

College. That appeared to be the opinion of the unsophisticated Episcopalian Protestants of Ireland. He, therefore, felt a difficulty in not voting against the Bill; for although he had assisted in disestablishing the Irish Church, he did not wish to take a step that would prevent any guardianship being provided for the education of those who were to become the future teachers of the people, and hand over the education of the rising generation to licentious and profligate men, and even to blasphemers of religion itself. But, he must repeat, that his difficulty had been removed by the declaration of the right hon. and learned Gentleman. At the same time, however, he solemnly protested against the Bill under whatever guise it was put forward, for in what respects did this Bill differ from all former attempts to settle the Education question in Ireland? In no respect whatever. The Education difficulty had existed in Ireland for 250 years; and various attempts had been made to settle it, at one time by coercion and force, at another by confiscation and the sword. As time progressed, coercion was given up and attempts were made to seduce the Catholics from their ancient faith. Within their own days the Kildare Place Society had attempted by honeyed words, and even by bread and butter, to seduce children from the doctrines their parents taught them. And that Bill proceeded on the very same principle of the Kildare Place Society; it offered to remove all obstacles to the Irish people accepting a mixed system which they had been taught not to accept. Now that was an attempt to seduce them into contumacy against their religious superiors; and that very attempt made it more difficult to propose a change which would be satisfactory to the Irish people. They had given to the people of India Mahomedan Colleges rather than do violence to their feelings, and in Canada there were a College and a University where the Catholics had visitorial powers, and the result was the people were contented. By the same reason, if they desired content in Ireland, they must do for it what they had done for India and Canada. Unfortunately, however, bigotry and intolerance had been fanned by speeches made in that House and elsewhere, and he blamed those who had stimulated prejudices for the present difficulty. The Disestablished Church Commission, would have a balance of £5,000,000 or £8,000,000, and, in order to avoid the frank and manly course of giving that to the Catholics to establish a University, and so compensating them for that of which they had been unjustly deprived, they were driven to saying that religion should be ignored.

Mr. PLUNKET said, that he had spoken so often upon this subject when the prospects of the measure seemed far less prosperous that he should not have asked the House for any further indulgence, but for some misapprehensions which might have been created by words that had fallen from one of the preceding speakers. He wished at the same time to join in the appeal which had been made to the hon. Member for Galway (Mr. Mitchell Henry) not to press his Amendment to a division. It had been suggested by the hon. Member for Galway that the opinions of the Junior Fellows of Trinity College were not correctly stated by those who were supposed to represent them in this House. He did not deny that among those Junior Fellows there were some who differed in opinion from the remainder on this subject. He admitted that there were four of the Junior Fellows of Trinity College—and they were very able men, whose opinions were entitled to great respect, who, he believed, did not agree with the rest in reference to this Bill; but it was only fair to add that those four Junior Fellows were four out of 25, and that all the others last year signed a resolution in favour of this Bill, while this year representatives of the Junior Fellows were taken into consultation by the Governing Body of the College, and they agreed with the Seniors that it was right to press this measure forward. The grounds on which he would appeal to the hon. Member for Galway not to press his Amendment were these—the hon. Member himself had hardly denied that by a great many Protestants, whether Episcopalian or Presbyterian, the abolition of tests in Trinity College and in the University would be regarded as a great and immediate advantage. He (Mr. Plunket) well knew that to one individual in particular it was almost a matter of life and death. There was a student of Trinity College who last year as the result of a very severe examination, won the right to a Fellowship. He was a man of high intellectual attainments, who had studied hard, and competed for it in the hope that when the time came for his election the tests which stood in his way would have been removed. However, that had not happened, and he was prevented by religious scruples from taking the tests. Would it not be hard if this student, who, there was reason to believe, might again this year win a Fellowship if his health held out through the ordeal, was again cut off from the reward of his labours by these tests? He would therefore appeal to the hon. Member for Galway not to press his Amendment, for the reason that to this Gentleman and to a great number of his fellow Protestants, in whose interest the hon. Member professed to act, this Bill would prove a boon, which they were not only willing, but anxious to accept. Further, he knew that by a great number of Roman Catholics this measure would be received with welcome. But if there were some Roman Catholics who did not choose to take advantage of the opportunities that would be thus afforded to them by the University of Dublin—if they still desired denominational Colleges or a University exclusively for themselves, in the name of reason, he would ask them why should they object to the adoption of the present Bill on that account? What was there in the passing of that measure to prevent the hon. Member for Galway or any other hon. Member from framing such a plan as they thought the House was likely to adopt? He (Mr. Plunket) confessed he could not hold out a prospect of immediate success as an encouragement to them to take this course; but how, he asked, could they justify themselves in their refusal to allow a measure so acceptable to many persons of all creeds to pass, on the ground that it failed to give them that complete University reform which they for themselves desired? That was not a final Bill; it certainly was not so as regarded the Divinity School of Trinity College, Dublin, and on this point he concurred in what had fallen from his right hon. Colleague. The hon. Member for Kilkenny (Sir John Gray), when referring to the resolutions recently adopted by the Synod of the Disestablished Church, did not mention that the Synod knew that this Bill was likely to be passed. What their resolutions affirmed was that, standing alone, unaccompanied, and not followed by other legislation, it would not be a satisfactory solution of the whole question. That was no new idea. Two years ago, when this Bill was first introduced, he (Mr. Plunket) stated distinctly, that as regarded the Divinity School, it was not final, that questions would arise hereafter which must be dealt with, and the reason why no attempt was made to deal with them in the Bill was, that there were hopes that the new Governing Body of the University which it was desired to organize would be better able to dispose of them. It was, moreover, quite true that if the Divinity School were to remain long as it would be left by this Bill, circumstances might arise that would reduce it to a condition which any Protestant would regret to see. They of Trinity College, then, regarded this as but a temporary measure; but they felt also that they could not of themselves alone remedy the defect, because at the time the first Bill was brought in the Disestablished Church had hardly organized itself; and, indeed, it could not be said to have even yet fully recovered from the shock of disestablishment and disendowment. It was obvious that when a further proposal was made as to the Protestant Divinity School, an understanding would have to be arrived at between the persons who were in future to carry on its government, and those who now had control over it. Further than that, the Bill was not final in another way—namely, in respect to the Government of Trinity College and Dublin University. Of the two plans referred to by the hon. Member for Brighton (Mr. Fawcett), the first had proposed the establishment of a new Constitution, the second had suggested merely a consulting Council which should draw up statutes, so as to bring the University and Trinity College more into conformity with altered circumstances. It was plain therefore that the necessity for further changes had from the first been duly recognized, though they had been obliged to forego their accomplishment for the present. But the House might rest assured, that as Trinity College had lately had a very narrow escape, no time would be lost, by them in setting their house in order, so that they might in future be safe from the attacks of other reformers, far less in accordance with their tastes and interests than the hon. Member for Brighton, who had so gallantly and honourably stood by them through their recent difficulties and dangers. He wished emphatically to repudiate the title that had been given so absurdly to that hon. Member of an "officious meddler." What the hon. Gentleman had done he had done with the full consent of the Governing Body of the University of Dublin; and up to that moment there was no reason whatever for saying that they had altered their views on the subject. The proposal contained in the Bill was certainly intended as an honest, open-handed concession, as an advantage to be offered to certain persons at present labouring under serious penalties; and it was very undesirable that at the last moment it should be opposed in a spirit, he would not say of factiousness, but at all events of delay, and that too by an hon. Member claiming to represent a population for whose benefit the measure was designed. He would, therefore join in the appeal made to the hon. Member for Galway not to press his Amendment.

Mr. BUTT did not think that the taking of a vote would delay the Bill, and he therefore hoped his hon. Friend the Member for Galway (Mr. Mitchell Henry) would give him and others an opportunity of recording their vote on the subject, considering the state of the House and the little interest apparently taken by hon. Members in it. Almost all the speeches that had been delivered had convinced him of the prudence and wisdom of the Resolution, for it was impossible for that House to ascertain the real state of the people of Ireland on the subject without further inquiry. For instance, the hon. Gentleman who had just sat down told the House that the Junior Fellows of Trinity College were in favour of the Bill, other hon. Members said they were not; and how was the House to know the fact, if not by the inquiry proposed by his hon. Friend? The fact was, that the Fellows of Trinity College accepted the Bill to escape a greater evil, and he believed if an opportunity were now given of ascertaining their opinions, the majority would say that they adopted the Bill as a matter of necessity, not thinking it was the best thing to be done. The Amendment rested upon two simple propositions—that there ought not to be legislation without accurate information as to the feelings and wishes of all classes of the Irish people, and that such information they did not now possess. The Bill would not give to the Roman Catholics the University institutions they desired, and he was satisfied that nothing less would be regarded as a satisfactory settlement of the question; indeed, he believed a very great change had taken place recently in Protestant opinion upon this subject. He had taken pains to ascertain the opinions of intelligent Protestants in different parts of Ireland, and he believed that nine out of ten would be in favour of settling it, if it were to be settled, by giving endowments to the Roman Catholics, and preserving those of the Protestants. Was it of importance that they should know whether that was true or not? Were they to legislate upon the uninformed prejudices of the House, or upon an enlightened acquaintance with the wishes and feelings of the Irish people? It was said that other measures were to follow that; was not that a reason for delaying this until the complete scheme was before them? Why should they take a leap in the dark? It was true that in the case of the Universities of Oxford and Cambridge they abolished tests, they excepted the Professors of Divinity, but there was no such exception in this Bill. The English Bill further excepted the Heads of Colleges, who were required to be in Holy Orders, and excluded the Head of every College in Oxford, except one. It had, however, been pointed out that under the Bill as it stood a Roman Catholic ecclesiastic might be appointed Provost of Trinity College. Insert the words of the English Bill, and that could not be. But if a Roman Catholic ecclesiastic were placed at the head of Trinity College, would the Protestants of Ireland continue to send their sons there? The Bill, therefore, would put it in the power of a Ministry to destroy Trinity College by appointing a Roman Catholic ecclesiastic, or even a Roman Catholic layman to become its Head. What change was it proposed to effect ultimately in Trinity College? The Preamble of the Bill declared it was to be retained as a place of religion, as well as learning; but what religion was it to be—was it to be that of the large majority of the nation?

They were Roman Catholic, and how were the benefits of religion to be thrown open to them? The statutes of Trinity College were essentially Protestant in their character; they were left untouched by the Bill, and Roman Catholics were to be admitted to administer them. The English Bill, as he had said, exempted virtually all the Heads of Houses in both Universities, and declared that nothing should interfere with their religious character, discipline, and worship. Was it intended the same should be done in that case? Was the College to continue to be a place of religious education essentially Protestant, or was it not? It was said that if you destroyed the essentially Protestant character of the College you would destroy it. The University, moreover, was a University for the Protestant people of Ireland; it had not too large revenues, nor was it too great for them, therefore he wished to maintain it for those for whom it was desired, and as a means to that end he desired to give the Catholics their own University. Then, if either Protestants or Catholics wished to abolish tests, let them do so; but let those changes be the growth of opinion, and not forced upon them. Repudiated by Catholics, the Bill could not be a settlement, and it would create hostility which did not now exist, because, if the Fellowships were thrown open, the College would become the theatre of a contention between the Roman Catholic Church, the Government, and the people, which would not be calculated to increase its stability or insure its safety. He objected to the Bill for the sake of the effect it would have on the University itself, for no exception was made, not even as to the teaching of Divinity. Why, there was nothing in the Bill to prevent a Mahomedan from being elected Professor of Divinity in the University of Dublin, if he were the one person best acquainted with the history and doctrines of the various Christian sects; indeed, in the latter view of the case, they would have no other course open to them under the terms of the statute. Before assenting to a change in a University, which had worked well for the Protestants of Ireland, and which had proved itself to be the most liberal Protestant institution in Europe, he should like to know exactly the meaning and end of the change proposed, and also what were the feelings of the Irish people on the subject? He was aware of the manner in which Ministers were supposed to learn something of the sentiments of the Irish people. There were informers who could go up the back-stairs of the Castle, and make statements to the Lord Lieutenant—and if he could suppose it, others who went up the back-stairs of Downing Street, and represented to the Government that the Irish Members did not in any sense represent the feeling of their country upon the question; but his hon. Friend the Member for Galway (Mr. Mitchell Henry) wished to have information to be conveyed to the House and to the Ministers in the light of day, and to be reported by a Royal Commission. In order to test the truth of such information, he asked the House to support the Amendment from a belief that the result would prove the contrary. Further, might he ask the right hon. Gentleman at the head of the Government whether he had not had enough that Session of the other species of information? Did not the right hon. Gentleman anticipate that the Irish University Bill would be accepted in a very different spirit by many classes in Ireland? If accurate information were required then, let a Royal Commission be issued, before which the Roman Catholic laity would have an opportunity of stating their opinions; and here he might remark that he knew of no educational institution where so much real liberality existed among the students as in the Catholic University, which was sometimes described as being under the influence of the Ultramontane hierarchy. If it should be ascertained by a Royal Commission that the feeling of Irish Protestants was in favour of the endowment of a Roman Catholic University, he felt sure this House would not oppose a settlement which the immense majority of the Irish nation approved. He must therefore press his hon. Friend to divide, because he wished to record his vote against a Bill, no matter by whom it was supported, which he believed would be fatal to the existence, in a few years, of the University of Dublin.

Mr. GLADSTONE: If the Question, that this Bill be read a second time, had been put immediately after the introductory statement of my hon. Friend the Member for Brighton (Mr. Fawcett), I should have been perfectly contented to support it with a silent vote; for the Government have already indicated their opinion of the measure by the disposition they have shown to allow my hon. Friend such facilities as the other demands of Public Business will permit them to offer him for bringing forward his Bill; and we still feel a disposition to give him those facilities, with respect to which, however, I must say that we hope he will also use his own best exertions, because we who are ill able to provide opportunities for our own Bills, may not be able to do for him all we could wish. But the scope of the discussion has been widened by the Amendment which has been proposed, and likewise by the speeches which have been made in the course of the debate. We are asked to adopt a Resolution in favour of the appointment of a Royal Commission which is to be issued by the Crown—I suppose upon the prayer of this House—for the purpose not of examining and considering the question of Irish University education, not for the purpose of ascertaining matters of fact connected with it, but for the purpose of ascertaining the opinions and wishes of the several academic bodies existing in Ireland, and of the people generally on this subject. I cannot help observing that this Motion, as far as I know, has at least the merit of being an absolute novelty among the many varieties of Parliamentary propositions, for I do not remember that upon any occasion it has ever been the practice of this House, or that it has even been proposed to this House, to employ the machinery of a Royal Commission for the purpose of ascertaining the opinions and wishes of the people. We have to employ Royal Commissioners—often with great utility—when there are difficult and complicated matters of fact to be examined which require and admit of a precise scrutiny—matters of fact which this House may not be able to undertake thoroughly to search out; but with regard to the collection of the opinions and wishes of the people, this is a most extraordinary delegation of the first and most elementary duty of Parliament itself to an instrument that is to be chosen by the Crown at the pleasure or on the advice of the Government of the day; and were it only on that ground I, for one could not possibly vote for the Motion of my hon. Friend the Member for the County of Galway (Mr. Mitchell Henry). I must also remark that there is latent in this Motion an assumption which I am not ready to grant with reference to any one of the three countries, and that is, that the opinion which may prevail in a particular country—whether it be England, Scotland, or Ireland, and I can draw no distinction, all being on the same footing of absolute equality—is finally and absolutely to rule the judgment of Parliament with regard to particular subject-matters. Both on that ground and the other to which I have referred, it is impossible for me to vote for the Amendment. Then are we to vote for the Bill of my hon. Friend the Member for Brighton or are we not? If you listened to several of the speeches which have been made, the scope of this debate might be estimated to be a very wide one indeed; but look at the Bill as it comes before us—and I speak of the Bill generally, and not with reference to the particular point noticed by the hon. Member for the University of Dublin (Mr. Plunket), and the hon. and learned Member who has just sat down (Mr. Butt)—namely, that for the removal of tests. In Trinity College and the University of Dublin, at the present moment, we have a state of things in which the education of the University, the examinations of the University, the honours of the University, and, I believe, some very small fraction of the rewards of the University are open to all without regard to religious distinctions. But my hon. Friend the Member for Brighton asks us to go further, and to enact, in general conformity with the principle on which we have already proceeded for England, that not only the studies, the examinations, and the honours of the University, but the emoluments of the University generally and the Governing Body should be thrown open irrespective of religious distinctions. That which we have done in England, where an Established Church prevails, and that which, substantially, we have done in Scotland, where an Established Church also still exists, it would certainly be singular to refuse to do in Ireland, where no Established Church exists, but where the Established Church has been deliberately abolished by the judgment of Parliament. Consequently the present measure appears to be a simple one, and one which is sustained both by general considerations applicable to a question of this class, and by the precedents which we ourselves have set in England and in Scotland not only in parallel circumstances, but in circumstances where an argument of this nature was much weaker indeed than it is in the case of a country situated as Ireland now is. What, then, are the arguments which have been urged against the Bill? I confess that I have some difficulty in collecting them from most of the speeches made by hon. Gentlemen on this side of the House. As far, however, as I am able to do so, they come very much to this. If I am to put a general construction upon the speech of my hon. Friend (The O'Donoghue), it comes to this point—that he wishes to have established in Ireland a system of denominational grants to Colleges and Universities for the different religious communions which make up among them the Irish people, and that, as the present measure proceeds upon a different basis—opening a particular College in a University instead of keeping it close—he will vote against the second reading. I cannot deny the perfect sufficiency of such an allegation from a Gentleman who regards the subject from that point of view, nor do I intend to enter upon the general argument of the justice or injustice of that point of view. We have had other opportunities of dealing with it, and I will only now notice one expression of my hon. Friend, in order to say that under no circumstances can I be bound by it. He says the question whether higher education in Ireland shall be supported by a system of denominational grants is a question of purely domestic concern for the people of Ireland. I am not able to subscribe to that proposition. Subjects of this kind—subjects of religion and education—have never been treated in any of the three countries as matters of purely domestic concern to each one of them separately. They have always been regarded as Imperial questions. For instance, when my hon. Friend gave us his support on the disestablishment of the Irish Church, that was not treated as a domestic question of purely Irish concern. It was treated upon Imperial considerations, though those considerations were governed in their application by the peculiar circumstances of Ireland. It was not, however, treated as a matter of Irish concern, but as a matter with regard to which, had the same circumstances existed in England, Parliament would have been prepared to take the same course. Moreover, I think my hon. Friend himself would find some difficulty in adhering, after a closer examination of the case, to the doctrine that this important question is one of purely Irish concern. Suppose my hon. Friend himself proposed to appropriate a larger sum of public money, whether from the Consolidated Fund or from any special Irish fund, for the purpose of supporting a Roman Catholic College in Ireland. If he were to give the public money in that way, he must give it to a College with a certain constitution; by that constitution the exercise of powers within the College would be determined, and consequently the State in granting the money, must become parties to the constitution under which the grant would be administered. How are these powers to be divided between the laity and the the clergy in the Roman Catholic Church? And are they to be severally represented in the government and control of the College? These are questions of the utmost importance and difficulty, and how would it be possible for us to make such grants and lay down certain principles with regard to the sort of constitution — Episcopal, clerical, or lay — which we should recognize in Ireland; and at the same time have different principles on which to treat analogous questions in England? The question of the Roman Catholic Church, its constitution and government, is not confined to Ireland, and, if it were, the analogy drawn from our proceedings in such a case would be quoted to influence our conduct in England and Scotland. Both from the reason of the case and from a long-continued course of precedents, therefore, it is plainly impossible to treat this question as a matter of purely local concern for any one of the three kingdoms; for if it were possible, it would undoubtedly be rather a strange course that we, after having in the matter of religion, where anything secular is involved, determined that the State would not connect itself with any one religious communion in Ireland, should, two or three years afterwards, hand over the intellectual training of the country in its highest departments to the management of religious bodies and to Episcopal or ecclesiastical control. I do not go farther into these important subjects, but my hon. Friend will see the difficulties which must present themselves to persons responsible for the conduct of affairs before they can accede to the proposition he lays down that a subject of this kind is to be treated as one of merely local concern. As was said by the right hon. and learned Gentleman (Dr. Ball), the main and the best founded objection to this measure is its limited character. But that objection can hardly hold good unless it can be shown that the limited concession which is proposed is itself open to just objection. If this measure in Ireland be legitimate and beneficial, the fact that it touches one department of this question only, and does not deal with the whole, can never be deemed a reason for its rejection. I am one of those who fully admit that it is a limited measure, and that the question of academic reform—which is entirely separate from the imposition of tests—cannot be supposed to be finally settled, or, indeed, to have made any serious progress towards settlement, by the simple passing of a measure such as that now before us. My own opinion is, not that, upon general abstract grounds, it is necessary to have one National University, and only one in the country—my opinion is, that if we are to act upon principles of religious equality in their application to Ireland, those principles do demand, as has been set out in the Preamble of this Bill, that the entire people of Ireland shall have free access to the University of Dublin; and I own for my own part —and I go a step further and say—that so far as I can see, it is impossible for them to have free access if they are to be confined to that mode of passage and teaching into the University of Dublin which Trinity College offers. There is no doubt that Trinity College is a College of Protestant tradition and Protestant aspects, and Trinity College must long so continue. It has to choose its Fellows not merely on abstract grounds of excellent scholarship, but with regard to its teaching functions, which, very much to the honour of that institution, every Junior Fellow is called upon to perform. I feel, therefore, that it is a great boon both to Protestant Dissenters, and Roman Catholics to remove the barriers which now obstruct access to the endowments of Trinity College, but at the same time, in my opinion, it would be little less than mockery were we to treat this measure as in itself acquitting us of our debt in reference to giving to the people of Ireland the full advantages of National University education. I have another word to say upon the reference made by the two hon. and learned Members for the University of Dublin to the Divinity School there. It is not necessary on this occasion to enter into the subject in detail, for in the Bill introduced by the Government we indicated distinctly the principle on which we thought it would be equitable to deal with it. But, after listening to the speeches of the right hon. and learned Gentleman (Dr. Ball) and his hon. and learned Colleague (Mr. Plunket), I feel some difficulty regarding this portion of the measure. When I heard the senior Member for the University the atmosphere seemed misty, but after listening to the junior Member I was in black darkness as to the nature and scope of the Bill. If I rightly gathered the statement of the hon. and learned Member (Mr. Plunket), he said in effect this —"We are going by the present Bill to throw open, irrespective of religious belief, the Theological Faculty in the University of Dublin; but we only do this as a temporary measure, and there must be some other measure which I do not now describe, and am not prepared to lay before the House, which will undo the present Bill and close again the Theological Faculty we are now about to throw open." I must say the hon. and learned Gentleman by that statement gave a considerable advantage to my hon. learned and able Friend behind me (Mr. Butt), of which he was not slow to avail himself, protesting with much justice against being asked to vote for a Bill some portion of which we are to pass now, in order that we may review it and limit its operation by some other measure to be introduced hereafter under circumstances which at present are neither explained nor understood. I do not proceed upon any such principle; I simply support the measure as one for the removal of tests in the University of Dublin. So far as the Theological Faculty is concerned our plan has been before the House, and I must not assume that it met with favour; but we are now out of the way, and our business is to give place to others who, we hope, may be more fortunate than ourselves. I should like, however, to know what is thought of the Bill in the interests of religion and in the interests of the Disestablished Church by the Governing Body of Trinity College, by the Senate of the University, which on a recent occasion became so eloquent, though it had not previously loosed the string of its tongue, and what counsel is offered by the two hon. and learned Members for the University? At present, on this subject, I am entirely in the dark. I wait there, contentedly; but I have endeavoured to point out that the scope of this Bill is really a very limited scope, and that it confers, as has been very well said by the hon. and learned Gentleman the junior Member for the University of Dublin, a great practical benefit upon both Protestant Dissenters and many Roman Catholics in Ireland, by the removal of obstructions which now exist. That benefit it confers with perfect willingness—nay, with readiness and eagerness on the part of the Protestant Episcopalians to offer a boon, and under these circumstances it would be a most extraordinary course to be taken by the House of Commons, were we to be the parties to interfere and prevent the realization of those very considerable advantages which the Bill undoubtedly secures—which are on the one hand so readily tendered, and on the other so much desired.

Mr. MUNSTER said, he found it difficult to gather from the debate which had occurred whether the Bill was to stand alone, or to be followed by other measures dealing with the subject of University education in Ireland. He inclined, however to the opinion that other measures were in contemplation, and he opposed the first step towards the establishment of a system in Ireland similar to that of the London University, for what were the practical results of that institution? There was nothing granted by the Bill which the Roman Catholics of Ireland would accept. In England opinion was divided on the subject of religious and purely secular education; in Ireland, on the other hand, Protestants and Roman Catholics were agreed on this point—that religion should be the basis of education. That being so, the Roman Catholics would only consent to commit the education of their children and the training of their young men to teachers in whom they and their priests had confidence. They would not submit to the religious teaching of Trinity College, and they believed that a University which professed to teach no religion was either a farce or a mockery.

Mr. REDMOND, in supporting the Amendment, said, that though the settlement of the question now before the House was a matter of necessity, no serious effort had been made to deal with it effectually. The Bill of the hon. Member for Brighton (Mr. Fawcett) did not profess to deal with that burning question of the day, University education, but was designated to uphold that secular system which the people of Ireland would never accept. It might appear strange that after this question had been discussed for years it should now be necessary to invite the House to obtain information as to the feelings, and wishes, and wants of the people of Ireland; but the late debate had demonstrated that the House did not yet realize the extent, and the constancy, and the earnestness of the people of Ireland in regard to the education of the Roman Catholic population of that country. The Government had acknowledged that an educational grievance existed, and that it was their duty to remedy that grievance, and were ready to stake their existence on carrying out these views. Were they going to give up that object? If the House rejected the Amendment of the hon. Member for Galway (Mr. Mitchell Henry) what did they propose to do? What did the Government intend to do? Would they ignore the claims of the people of Ireland upon this subject? The Government had stated over and over again that the subject ought to be dealt with, and he believed that if the House had accepted the Amendment it would have had a very happy effect upon the people of Ireland; but if it were rejected what would the effect be? Why, that they persisted in legislating for Ireland upon the basis of opinions in England and Scotland. It would be thought in Ireland that England was so strong that she braved the opinions of the people of Ireland; but he would say that if she were ten times as strong and as wealthy she could not do that with safety to the position. The Bill did not propose to deal with the question of education generally, and the Roman Catholics looked at what it proposed to do with distrust. They could not feel gratified in seeing the old University start upon a secular career. They did not wish to see Trinity College drawn down to the level of the "godless" Colleges, for Trinity College had been regarded with more good feeling than had been attached to other Government institutions in that country. The Roman Catholics took a pride in its renown, and they feared that its character would be materially altered by the Bill before the House. It had been stated that the House would not agree to denominational endowments, but he challenged the right of the House to come to such a conclusion as regarded Ireland. If the Bill should become law, and if they persisted in ignoring the feelings and wishes of the people of Ireland the question would be more seriously considered by them, and they would say that it was evidence to them that they must seek for redress of their grievances in the restoration of their own Parliament, in which Irishmen would have the management of their own affairs.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) £25,615, to complete the sum for Royal Palaces.

(2.) £83,727, to complete the sum for Royal Parks and Pleasure Gardens.

Mr. Alderman LUSK asked for explanations as to the increased charge for the services of the police connected with the keeping of Hyde Park and Kew Gardens, and wished to know if the public got value for their money?

Mr. AYRTON presumed that that expenditure was required because the Parks were much frequented and were somewhat highly cultivated. He should be glad to get the police to perform that duty at a smaller cost, but the matter was not exactly within his power. The expense for Kew Gardens was no doubt large, but the gardens were kept in a high state of cultivation.

Mr. Alderman LUSK said, that Hyde Park was a highly-cultivated Park, but he did not know that the police cultivated it. He supposed the police did not attend to the flowers, and it was to the police he had particularly referred.

Mr. AYRTON said, that if a Park was in a high state of cultivation it all the more required to be protected by the police from the inroads of the public. If, however, everybody going into the Park was as well-behaved as his hon. Friend, of course, no police would be required; but the fact was, that there were people in the metropolis who did not exactly know how to use a Park, and who fancied that they could go there and do very much what they liked; and the Chief Commissioner of Police deemed a police force necessary—first, to protect the Park against the people, and then to protect the people against one another.

Vote *agreed to.*

(3.) £128,431, to complete the sum for Maintenance and Repair of Public Buildings.

Mr. Alderman LUSK asked for explanations as to an item for the erection of new buildings in Southampton in connection with the Ordnance Survey. He did not know what these buildings were, especially as he had expected, with everybody else, that the Ordnance Survey would come to an end soon.

Mr. AYRTON said, the new buildings in question were necessary, because the old buildings where the business of the Ordnance Survey was carried on, and which were originally erected for military purposes, had to be pulled down. Arrangements had been made for selling the Ordnance maps in London, where a depôt for supplying them to the trade had been established.

Mr. F. S. POWELL asked what were the Royal monuments for the restoration of which sums were taken in this Vote, and also under whose guidance the restoration was taking place?

Mr. AYRTON did not know why the hon. Gentleman should assume that the person charged with superintending the restoration of these monuments was incompetent to discharge the duty.

Mr. F. S. POWELL said, he expressed no opinion upon the competency or otherwise of the gentleman; he had asked a simple question.

Mr. AYRTON replied that the monuments which were being restored were one of King John in Worcester Cathedral, and some monuments in Westminster Abbey, and that the restoration was taking place under the superintendence of an officer of the Department of Works.

Vote *agreed to.*

(4.) £12,000, to complete the sum for Furniture, Public Departments.

Mr. Alderman LUSK asked for some explanation with respect to two items which many people would think ought to go together—namely, £997 for Chelsea Hospital and £757 for the Military Asylum, Chelsea. There was also under the Head of Home Office, "Inspector of Anatomy 7*s.* 6*d.* The thing was very cheap if it was good.

Mr. WHITWELL asked, whether the apartments which had been vacated by the removal of the Horse Guards to the War Office at Pall Mall were available for temporary offices?

Mr. ANDERSON said, that the Vote for furniture was of a most unsatisfactory character. It seemed to be taken for granted that when a certain sum was spent on furniture in one year an equal sum should be asked for the next. That plan of taking the estimate for the coming year on the basis of the past was a most unsatisfactory one, but at the same time he was not prepared to point out a better.

Mr. AYRTON said, the offices which had been vacated by the removal of the Horse Guards to Pall Mall were not empty; they were occupied by such persons connected with the administration of the Army as could be conveniently located there. With regard to the estimate for furniture, it must not be supposed that the same expenditure would take place in each office every year. If a great expenditure was made in one year on one office there would be very little the next; but taking all the public offices together, it was found that the total expenditure amounted to about the sum that was asked.

Vote *agreed to.*

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £25,670, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Buildings of the Houses of Parliament."

Mr. BOWRING was glad that the First Commissioner of Works had so far kept down the very large cost of the supply of fuel and gas for the Houses of Parliament, that the increase in the Vote only represented the great increase in the price of coal. He (Mr. Bowring) also asked what was about to be done with regard to the light in the clock tower, which had been very unsatisfactory of late as compared with previous years; and also whether means could be taken to continue the covered way between the cloak-room and the railway station, so that Members should not be exposed to the wet on rainy nights upon going to the train. The distance which was not under cover was only a few yards.

Mr. AYRTON stated, with regard to the light in the clock tower, that before finally determining what light should be adopted, several persons were exhibiting the merits of their inventions at their own expense, and when the qualities and costs of each had been ascertained the decision of the Office of Works would be submitted to the House. With regard to the subway to the railway station, it would be difficult to continue the covered way to the cloak-room without making considerable alterations in the structure of the House. The opening at the other end would shortly be covered in by the building in course of erection there.

Mr. Alderman LUSK remarked that a sum of £1,000 had been voted four years in succession to Mr. Herbert for his picture of the "Judgment of Daniel," and it had never been paid. Surely if it was not to be paid it would be better not to vote it.

Mr. AYRTON explained that the sum in question had not been paid because the picture was not yet completed. When it was nearly completed the canvas exhibited signs of swelling, and the artist was unwilling to put it up in that condition. The picture was the work of an artist of great eminence and genius, which it was desirable they should possess, and the £1,000 had been inserted in the Votes in anticipation of its completion. The money would be paid as soon as the picture was placed in the House of Lords robing-room.

In answer to Mr. Rylands,

Mr. AYRTON said, that a plan was under consideration by which the staircase, which now came down to the Smoking Room from the lobby, would be continued upwards, so as to afford a private access to the lobby for Members called from Committee Rooms upstairs to divisions in the House.

Mr. MONK drew attention to the item of £724 per annum which was paid as the rent of the official residence in Spring Gardens of the Clerk of the Parliaments. He thought this item was far too large, especially as the residence in question was at a considerable distance from the House. He would also ask whether a more convenient residence could not be found in the House itself?

Mr. AYRTON said, that no doubt the original intention was that an official residence for the Clerk of the Parliaments should be provided for him in that building, and he could give no reason why that intention had not been carried out. In point of fact, the £724 referred to did not actually come out of the public pocket, inasmuch as the residence of the Clerk of the Parliaments was Crown property, and therefore the money that was paid out of the Exchequer with the one hand was received by the Woods and Forests with the other. At the same time, he admitted that the sum charged in the Estimates was out of all proportion with the amount of the salary which the official in question received, and might be regarded as being in the highest degree extravagant and improper. In his opinion, the Clerk of the Parliaments ought to receive an allowance for house rent, and should be called upon to provide himself with a residence. The present arrangement had been in existence for seven years; but it was, however, intended to provide the official in question with a house in the more immediate neighbourhood of the Houses of Parliament, and therefore the present arrangement would at no distant day come to an end.

Mr. SCLATER BOOTH wished to know whether the right hon. Gentleman the First Commissioner of Works intended positively to state that an arrangement such as he had indicated had been actually entered into. He thought the right hon. Gentleman went too far when he characterized the existing arrangement as extravagant and improper.

Mr. AYRTON had already stated that the arrangement to which he had alluded was under consideration. He must repeat that an arrangement under which an official receiving £2,000 per annum as salary was provided with a house valued at £724 per annum was an improper and an extravagant one.

Mr. SCLATER-BOOTH observed that the salary of the Clerk of the Parliaments was £4,000, and not £2,000, as stated by the right hon. Gentleman. It was scarcely the right thing for the right hon. Gentleman, holding such strong views upon the subject as he did, to place this item in the Estimates, and then come down to that House and vilify it.

Mr. ANDERSON said, that after the speech of the right hon. Gentleman the First Commissioner of Works, the Committee had no alternative but to reject the item. He would, therefore, move that the item be omitted.

Motion made, and Question proposed, "That the Item of £724, for Rent for the Official Residence of the Clerk of the Parliaments, be omitted from the proposed Vote."—(*Mr. Anderson.*)

Mr. BOWRING remarked that the salary of the Clerk of the Parliaments was £2,500, and not £4,000.

Mr. AYRTON explained that it was impossible to omit the item, because a house must be provided for the Clerk of the Parliaments under the terms of the arrangement with him. The Woods and the Forests having raised the rent of the residence he now occupied, an arrangement had been entered into by which a residence would be provided for him more in proportion to his salary and his position.

Mr. MUNTZ thought that after what had fallen from the right hon. Gentleman the First Commissioner of Works, the Committee should express an opinion that the amount of this item should be reduced. Therefore, if the hon. Member for Glasgow (Mr. Anderson) would withdraw his Amendment to omit the item, he would move that it be reduced by £224.

Mr. Alderman LUSK could not help wondering at the sudden display of virtuous indignation with regard to a sum that was paid with the one hand and received with the other.

Mr. SCLATER - BOOTH remarked that the course taken by the right hon. Gentleman the First Commissioner of Works in reference to this item was most extraordinary. The Clerk of the

Parliaments had occupied his present official residence for 10 or 12 years, and yet the right hon. Gentleman had got up and made a speech which ought to require him to vote against the item he had himself placed in the Estimates.

Mr. LOCKE wished to know whether, if the Clerk of the Parliaments gave up his present residence, there would still be any objection to a road being made from St. James's Park through Spring Gardens to Charing Cross? He thought the house in question was a great stumbling-block in the way of an important metropolitan improvement, which, some years ago, he had suggested might be made.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Whereupon Motion made, and Question proposed,

"That the Item of £724, for Rent, &c. of Official Residence of the Clerk of the Parliaments, be reduced by the sum of £224."—(*Mr. Muntz.*)

Mr. WYKEHAM-MARTIN asked, whether it was not possible to find for this officer an equally good house at the amount of rent proposed by the hon. Member for Biringham—namely, £500? Who in private life would think of giving a rent of £724 for a house in Spring Gardens?

Mr. AYRTON said, that the improvement referred to by the hon. Member for Southwark (Mr. Locke) would not go in the direction he supposed, but through another House in Spring Gardens. Whether that improvement could be carried out would remain for the consideration of the Metropolitan Board of Works; or if the House liked to take the matter into its own hands and vote money for it, of course it would be for the House to do so. But knowing what large Votes would be asked for metropolitan improvements, he advised the House not to begin that operation.

Mr. LOCKE said, he had never intended that the country should pay for the alteration; but the fact was the Government had always prevented the Metropolitan Board of Works from making the improvement to which he had referred.

Lord CLAUD HAMILTON dissented from the view of the hon. Member for Southwark (Mr. Locke), that it would be a public improvement to have a carriage way made in the locality in question. No doubt, it would be a convenience for the owners of carriages if such a way were made; but it would be extremely inconvenient to persons who liked to have that place of resort. With regard to the general tenor of the discussion, he thought it was rather unfair to the Clerk of the Parliaments to make observations about the amount of his salary, and the amount which the public paid for his residence. He remembered when that gentleman first became tenant of these premises. He thought it was at the time when Sir Benjamin Hall (the late Lord Llanover) was First Commissioner of Woods and Forests. It had been decided that the Clerk of the Parliaments in his official capacity should have an official residence. It happened that these premises were vacant, and it was suggested as a suitable arrangement that he should be lodged in them. At that period the amount of the rent did not represent the value of the house. The terms were subsequently altered, and the right hon. Gentleman the First Commissioner of Works seemed to think that the Clerk of the Parliaments was responsible for that arrangement.

Mr. RYLANDS said, not the slightest disrespect was intended to the Clerk of the Parliaments in the observations that had been made. All that was meant was that the present arrangement was an extravagant one. If the Committee would vote for the Amendment of the hon. Member for Birmingham (Mr. Muntz), the First Commissioner would, no doubt, make a more economical arrangement.

Mr. SCLATER-BOOTH protested against a Minister of the Crown vilifying Estimates which he had placed before the House. The right hon. Gentleman the First Commissioner had said, in the plainest possible language, that this was an extravagant and improper arrangement. If that was so, he thought it was the duty of the right hon. Gentleman not to have put this item in the Estimates.

Mr. AYRTON said, he adhered to his opinion that this was an extravagant arrangement; but he had explained that it was only a temporary arrangement, and that the item ought to be voted until another residence was provided.

If the Committee insisted on the proposed reduction, he would not object.

Question put.

The Committee *divided:*—Ayes 56; Noes 85: Majority 29.

Original Question put, and *agreed to.*

Mr. ANDERSON noticed an item of £9,809 for external and casual repairs, and asked whether anything could be done to check the decay of the stonework of the Houses of Parliament?

Colonel WILSON-PATTEN observed that the decay was going on very rapidly, and it was important to know whether the experiment had been successful in any way.

Mr. AYRTON said, the use of one kind of coating as a preservative of the stone was believed to have succeeded, but time was the only test of success. The first experiments made some years ago were not adequately recorded. No steps were taken to ascertain the nature of the materials, and the mode in which they were used; but it was now proposed to proceed in a more methodical manner. The stone which was most decayed was being gradually cut out.

Vote *agreed to.*

(6.) £48,000, to complete the sum for New Offices, Downing Street.

Mr. BOWRING asked whether those buildings would be completed within the estimate; whether the recommendation of the Committee on Public Accounts would be adopted with respect to them; and, whether, as had been reported, they were not rectangular?

Mr. SCLATER-BOOTH took it for granted that the important recommendation of the Committee on Public Accounts would not be adopted this year, as the Estimates had been framed before that recommendation was made.

Mr. AYRTON thought the building would be completed within the estimate of £285,000. There might be one or two small contingencies, but that amount would not be materially exceeded. As to the buildings not being rectangular, they had been designed to meet the line of the street, and as Parliament Street was not at right angles with Downing Street, there was an obliquity in the face of the building as compared with the other three sides. It was not intended this year to make any change in conformity with the Report of the Committee, but the subject would receive due consideration next year.

Vote *agreed to.*

(7.) £11,840, to complete the sum for Sheriff Courts, Scotland.

(8.) £35,420, to complete the sum for Enlargement of the National Gallery.

(9.) £16,500, to complete the sum for New Buildings, Glasgow University.

(10.) £7,700, to complete the sum for the Industrial Museum, Edinburgh.

(11.) £24,162, to complete the sum for Learned Bodies.

(12.) £120,607, to complete the sum for Works and Buildings, Post Office and Land Revenue.

Mr. MUNTZ objected to the charge for furniture, £9,320, as excessive.

Mr. AYRTON explained that the item included telegraph tables and other articles which were not permanent fittings, the outlay resulting from the extension of the service.

Mr. BOWRING asked whether the sums proposed to be voted for telegraph offices were to be applied to the repayment of the money borrowed without proper authority from the Savings-banks' funds?

Mr. AYRTON replied in the negative.

Vote *agreed to.*

(13.) £4,547, to complete the sum for the British Museum Buildings, &c.

(14.) £30,605, to complete the sum for New Buildings for County Courts, &c.

(15.) £16,773, to complete the sum for New Buildings, Department of Science and Art.

(16.) £107,210, to complete the sum for the Survey of the United Kingdom.

Mr. MILLER inquired what arrangements had been made for the sale of the ordnance maps in Scotland? He had been told that the arrangements would be complete on the 1st of April, but that was not so, although no doubt some few maps could be obtained.

Mr. F. S. POWELL asked when the survey was expected to be completed? The whole country bore the expense, but until the completion of the survey only a portion of the country reaped the benefit.

Mr. AYRTON said, that it had been found impracticable to sell the maps to the public through the post-offices. A central depôt had been established in London, from which copies might be obtained through any bookseller, while agents had been appointed in the principal English towns, and depôts established at Dublin and Edinburgh. The survey at its present rate of progress would occupy 11 or 12 years more.

Vote *agreed to.*

(17.) £13,547, to complete the sum for Harbours, &c.

Mr. GOLDNEY asked how it was that a further sum was to be taken for expenses in connection with the pier at Dover?

Mr. BAXTER said, that the works at Dover had not advanced so rapidly as was expected, owing to alterations made by the War Office, upwards of £10,000 having still to be spent. He hoped the Vote would be considerably reduced next year. The charge upon the Government would only be £640, as the remainder of the Vote, £760, was defrayed by the local authorities.

Mr. F. S. POWELL said, there was nothing taken for Alderney, and he wished to know whether it was intended to abandon those works?

Mr. BAXTER said, that point was still under the consideration of the Government.

Vote *agreed to.*

(18.) £150, to complete the sum for Portland Harbour.

(19.) £7,500, to complete the sum for Fire Brigade in the Metropolis.

(20.) £31,353, to complete the sum for Rates on Government Property.

Mr. MACFIE called attention to the state of certain footpaths connected with Government property in Leith. These footpaths had been neglected to such an extent that they had become injurious to the health of the public. The Town Council of Leith had remonstrated over and over again to no purpose, and the only alternative was to draw the attention of Parliament to the subject.

Mr. SCLATER-BOOTH thought the Vote should be postponed. Notice had been given of the introduction of a Bill which he was told would, among other things, provide for the rating of Government property by law; and a great portion of this sum would not therefore be required.

Mr. BAXTER believed, on the contrary, that whatever action the Government or the House might take in this matter, a great proportion of this sum would be required for the year.

Vote *agreed to.*

(21.) £3,901, to complete the sum for the Wellington Monument.

Mr. GOLDNEY said, he wished to call attention to the very unsatisfactory state of the Wellington Monument in St. Paul's, towards the completion of which very little progress had been made. The original estimate had been £14,000; the revised estimate amounted to £21,500, but the monument as it now appeared was nothing better than a great chimney-piece. Mr. Stevens was no doubt a man of ability, but he had entirely failed to fulfil his contract with the Government, and he thought some explanation should be given why so much delay had arisen in completing what was intended by the nation to be a worthy monument to a great hero. If Mr. Stevens' health was too infirm to carry on the work, some other architect should be appointed to complete the design.

The CHANCELLOR of the EXCHEQUER said, he did not at all wonder at the complaints which were made of the state of this work at the present moment. It had been one series of misfortunes from the beginning to the end. Mr. Stevens had been appointed by the noble Lord the Member for North Leicester, when First Commissioner, to execute this work, receiving certain payments from the Government. He was a very able artist, but not a good financier. His accounts and estimates got into confusion, and the work came to a state of almost absolute stagnation. It was taken out of the hands of Mr. Stevens altogether, and Mr. Coleman was appointed as a gentleman who should be answerable for the conclusion of the work. He was to employ Mr. Stevens to do the work required; and things went on in that way very well till Mr. Stevens unfortunately became ill—quite unable to do anything, for not only was he prostrate in health, but his mind appeared entirely gone. What the Government, therefore, proposed to do was to call on Mr. Coleman to complete the work. He had reason to believe the work was very near completion, and when completed it would not be unworthy of the nation or the hero whose achievements it was intended to celebrate.

MR. J. GOLDSMID said, he could not help observing that the right hon. Gentleman the Chancellor of the Exchequer had entirely confirmed the statement he had made last year. Mr. Stevens was totally incapable of completing the work. The part in which progress had been made was not the sculptural portion of the monument, nor had the proper casts been made. What Mr. Stevens had been employed to do he had not done, and Mr. Coleman, who was appointed to finish the monument, was not a sculptor but an upholsterer. He thought the Government should be held responsible for the proper completion of the monument, not one of the upholsterers of the metropolis.

THE CHANCELLOR OF THE EXCHEQUER: Of course the Government are responsible, and I can only congratulate the hon. Gentleman on the prescience which he discovered last year in the statement he then made.

MR. GOLDNEY wished to know whether Mr. Coleman was under an obligation to complete the monument for the sum mentioned in the revised estimate?

THE CHANCELLOR OF THE EXCHEQUER replied in the affirmative.

MR. J. GOLDSMID said, he should like to remind the right hon. Gentleman that on previous occasions, whenever any First Commissioner of Works pressed Mr. Stevens to go on with the models, that gentleman always fell ill. Therefore, it did not require any great amount of prescience on his part to hint that the same thing might occur again.

MR. GOLDNEY hoped, under the circumstances, that the Vote would be postponed until a definite statement could be laid before the Committee as to the completion of the monument.

THE CHANCELLOR OF THE EXCHEQUER said, it would be unnecessary to postpone the Vote, as everything which would require any very special artistic power had already been accomplished.

Vote *agreed to.*

(22.) £67,000, to complete the sum for the Natural History Museum.

MR. HINDE PALMER submitted that a portion of the ground which had been acquired for the Natural History Museum at South Kensington ought to be set apart for the erection of a Patent Museum.

MR. MACFIE thought the suggestion well deserved the attention of the Government.

MR. DILLWYN remarked that South Kensington had a wonderful power of drawing public money, and that he should have preferred to see all the Natural History collections centred in the British Museum. He commented on the magnitude of the estimate, and asked for information respecting the state the contracts were now in.

MR. AYRTON replied, that there was nothing in the estimate to prevent the construction of a Patent Museum. With respect to the financial history of the Natural History Museum, the facts were as follows:—About 10 years ago the House deliberately decided that ground should be purchased for the site, and in 1866-7 a Vote was proposed for the erection of the Museum. The matter was not proceeded with in that year, but Mr. Waterhouse, the architect appointed by the Government to design the building, arrived at an estimate of about £508,000 for its construction. The subject then came under his consideration, and he informed Mr. Waterhouse that the estimate ought not to exceed £350,000. Fresh plans were accordingly prepared, a tender was made, and the sum ultimately arrived at, with all its contingencies, was £395,000, the actual contract being £352,000, and the additional amount being required for the expense of the architect and other contingent services. They had a good guarantee that for the sum named a building suitable for the object in view would be constructed.

MR. HUNT asked when the contract was to be completed?

MR. AYRTON said, the contract was to be completed in three years from the beginning of the present year.

MR. SEYMOUR inquired when and where Mr. Waterhouse's designs might be seen?

MR. AYRTON said, they might be seen at the Office of Works by any hon. Member who desired to inspect them. He might mention that they had been already exhibited in the Library of the House.

Mr. SEYMOUR: Yes, three days before the House broke up for the long vacation.

Vote *agreed to.*

(23.) Motion made, and Question proposed,

"That a sum, not exceeding £9,010, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for New Buildings, Maintenance and Repair of Buildings, and other Expenses connected therewith, of the Metropolitan Police Courts."

Mr. Alderman LUSK complained of the state of the Metropolitan Police Courts, and stated that the magistrates had to pass whole days in courts which were simply a disgrace to this great metropolis.

Mr. RYLANDS wished to know how it was that the metropolis, with all its wealth, came to ask the country to provide it with police courts at the public expense, when the provinces had to provide their police courts at their own expense?

Mr. WHEELHOUSE also thought the Metropolitan Police Courts were not kept properly clean or painted.

Mr. R. N. FOWLER submitted it was most important that those courts, which were maintained in the interest of justice, should be kept in good order.

Mr. AYRTON said, that the building of another court in Bow Street was under consideration. There was also projected an enlargement of the police court at Marylebone. The subject of the provision by the State of the police courts of the metropolis was part of a much larger question, and he might as well ask how it was that the metropolis paid so large a share of the house duty?

Mr. RYLANDS moved the rejection of the Vote.

Question put.

The Committee *divided:* — Ayes 80; Noes 65: Majority 15.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £57,800, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Purchase of a Site, Erection of Building, and other Expenses for the New Courts of Justice and Offices belonging thereto."

Mr. SCLATER-BOOTH said, he thought the Committee would like to have some information upon the subject. He would remind hon. Gentlemen that the statutory limit for the erection of the new Palace of Justice was £750,000, of which £36,000 had been expended. He had been informed that tenders had recently been sent in for the erection of the courts ranging from £700,000 to £1,000,000, and if the tender accepted should exceed the statutory limit, he wished to know how it was proposed to get over the difficulty? He also wished to know whether any estimate had been received for the building, and, if so, what was the amount of the tender which had been accepted?

Mr. AYRTON replied that tenders had been received, but the lowest tender exceeded the statutory limit. He had not yet had time to go into the tenders with the architect, who was now engaged in altering the plan, and had no doubt that the building could be erected for the sum originally named.

Mr. HUNT inquired by what sum the lowest tender exceeded the statutory limit?

Mr. AYRTON said, it would not, he thought, be for the public interest that he should now give the particulars called for.

Mr. HUNT suggested that the Vote should be postponed until the right hon. Gentleman was in a position to give the necessary information to the Committee.

Mr. Alderman LAWRENCE said, it should be remembered that since the statutory limit was fixed the price of all kinds of materials and of labour had risen 30 per cent. It was very undesirable that the building should be compressed so as to bring it within the cost fixed some years ago. Such a proceeding must tend to the sacrifice of the building and the curtailment of the public convenience.

Mr. WHITWELL said, he also thought it would be very unwise to diminish the size and capacity of the building to bring the cost within the particular sum fixed on by Parliament. He expressed a hope that the widening of Temple Bar would be carried out, for the purpose of improving the approach to these Courts.

Mr. AYRTON said, that he was quite willing to postpone the Vote.

Mr. BAXTER thought that a fair case had been made out for the postponement of the Vote, and would move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Baxter.*)

Mr. GOLDSMID said, it should be understood that the Law Courts ought to be completed at a cost commensurate with the style of the building and the accommodation to be given. An increase of £50,000 or £250,000 ought not to interfere in the erection of a suitable building. He would recommend that the money which it was proposed to expend on pulling down and rebuilding a new Admiralty and War Office should be expended on the Law Courts.

Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee also report Progress; to sit again upon *Wednesday.*

REGISTER FOR PARLIAMENTARY AND MUNICIPAL ELECTORS (*re-committed*) BILL—[Bill 105.]

(*Mr. Attorney General, Mr. Hibbert.*)

COMMITTEE. [*Progress 7th April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Alteration of dates).

Mr. C. E. LEWIS said, he must take occasion again to object to the dates fixed in the Bill as inconvenient, and would move an Amendment to the effect that nothing in the clause should alter the date of any municipal election.

Amendment proposed, in page 2, line 9, to leave out from the word "Provided," to the end of the Clause.—(*Mr. Charles Lewis.*)

Mr. DIXON opposed the Amendment, on the ground that it would require the poll to be kept open after dark, and with the aid of artificial light.

Mr. HIBBERT also opposed it, because it involved a change that would be very inconvenient to every borough in this country. During the Vacation he had endeavoured to ascertain the opinions of the different boroughs with respect to such an alteration, and he found that they were almost unanimously averse to it. The clause as it now stood would do away with much annoyance to voters, whose convenience ought to be consulted in preference to that of the Revising Barrister. The dates fixed by the Bill had been arranged after consultation with the representatives both of boroughs and counties, and the Bill ought to be tried as the Government had framed it. If it was not found to work satisfactorily, it could easily be amended in a future year.

Mr. HUNT wished to know what the inconvenience which the Amendment would cause really was. When he had suggested at a previous stage that the 1st of January should be substituted for the 1st of November, he was told that this would necessitate canvassing in Christmas week; but that objection would not apply to the 1st of December. There was a blind and bigoted prejudice on the part of the old Tories on the other side of the House in favour of the 1st of November; but, for his own part, he was not opposed to a change that was beneficial, as the one now proposed by his hon. Friend would be.

Mr. DODDS objected to the change proposed, believing the time fixed by the Bill the most convenient part of the year.

Mr. COLLINS supported the Amendment, thinking that more time ought to be given for the completion of the registration, so as to render it as perfect as possible. He should prefer that the commencement of the process of making out the lists should be antedated, instead of deferred to a later period.

Mr. MUNTZ was one of those "Old Tories" who preferred to leave well alone, and not to make changes without good cause being shown for them. He hoped they would not throw the municipal elections a month later in the year, when the daylight was shorter.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:* — Ayes 85; Noes 39: Majority 46.

Mr. BRAND said, he wished to remind the Committee that at present persons were allowed to the 1st of June to pay the rates due on the 1st of January. But this Bill required that the rates should be paid by the 25th of April. Unless a Proviso was introduced to protect their interests, the effect of that alteration would be that a considerable number of electors would be disqualfied.

THE ATTORNEY GENERAL said, he must admit that there would be some inconvenience, but thought it was impossible to avoid inconvenience whenever an alteration in dates was made.

MR. WYKEHAM MARTIN suggested that the best way to meet the objection of the hon. Member for Hertfordshire (Mr. Brand), would be to postpone the operation of the Bill for a year.

MR. RATHBONE objected to any postponement.

MR. COLLINS remarked that, according to the Bill, if the rates were not paid by Friday next several voters would *ipso facto* be disfranchised. He suggested that Progress should be reported, in order that there might be time to consider what should be done.

MR. DODDS opposed postponement, but thought that some means might be adopted to meet the difficulty.

MR. HIBBERT said, if it were thought desirable to make special provision for the present year the Government would be prepared to do so on the Report.

MR. MELLY, in order to show that many persons would be affected by the change as now proposed, stated that he had not himself paid his rates as yet.

Clause *agreed to.*

Clause 4 (Preparation of lists by overseers).

MR. CHARLEY moved an Amendment, requiring the lists to be made out under streets, instead of alphabetically.

MR. COLLINS thought the question should be considered on the proposal of the hon. Member for Liverpool (Mr. Rathbone), which was to make street lists permissive. He thought it would not be possible to do this as the Amendment prescribed in the case of boroughs, which might be more properly described as rural districts.

THE ATTORNEY GENERAL said, that a good deal was to be said in favour of street lists, but in some boroughs it would not be possible to prepare the lists in that way. The Government had prepared a clause, which they would bring up on the Report, giving power to the local authorities to decide whether the lists should be alphabetical or by streets.

Mr. Brand

MR. WHEELHOUSE objected that some towns contained many streets of the same name, and, if lists were made out under streets, no elector would be able to discover whether his name was on the list or not.

Amendment, by leave, *withdrawn.*

MR. DIXON moved as an Amendment, in page 2, line 19, after "borough," to insert—

"But where a municipal borough is divided into polling districts for parliamentary purposes, pursuant to section seven of this Act, the overseers of every parish wholly or partly situate in any such borough or ward shall, so far as practicable, make out the lists of such parish in polling districts, with a separate alphabetical arrangement for each such polling district."

MR. LOCKE said, he must express his surprise that the Metropolis and the City of London were entirely ignored in the Bill.

Amendment *amended,* and *agreed to.*

MR. J. G. TALBOT moved that the Chairman report Progress.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

OYSTER AND MUSSEL FISHERIES ORDER CONFIRMATION BILL.

On Motion of Mr. ARTHUR PEEL, Bill to confirm an Order made by the Board of Trade under "The Sea Fisheries Act, 1868," relating to Bosham, *ordered* to be brought in by Mr. ARTHUR PEEL and Mr. CHICHESTER FORTESCUE.

Bill *presented,* and read the first time. [Bill 131.]

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Bouldnor, Broadstairs, East Loch Tarbert, Felixstowe, Filey, Fishguard, Fraserburgh, Ilfracombe, Lochaline, Newlyn, and Sandhaven.

Resolution *reported :*—Bill *ordered* to be brought in by Mr. ARTHUR PEEL and Mr. CHICHESTER FORTESCUE.

Bill *presented,* and read the first time. [Bill 132.]

REGISTRATION OF TRADE MARKS BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide for the Registration of Trade Marks.

Resolution *reported :* — Bill *ordered* to be brought in by Mr. ARTHUR PEEL and Mr. CHICHESTER FORTESCUE.

Bill *presented*, and read the first time. [Bill 133.]

COUNTY AUTHORITIES (LOANS) BILL.

On Motion of Mr. WINTERBOTHAM, Bill to amend the Law relating to Securities for Loans contracted by County Authorities, *ordered* to be brought in by Mr. WINTERBOTHAM and Mr. Secretary BRUCE.

Bill *presented*, and read the first time. [Bill 134.]

SUPERANNUATION ACT AMENDMENT BILL.

On Motion of Mr. WILLIAM HENRY GLADSTONE, Bill to amend the Law relating to the Grant of Superannuation Allowances and Gratuities to certain persons who entered the permanent Civil Service of the State between the passing of "The Superannuation Act, 1859," and the fourth day of June, one thousand eight hundred and seventy, *ordered* to be brought in by Mr. WILLIAM HENRY GLADSTONE and Mr. BAXTER.

Bill *presented*, and read the first time. [Bill 135.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 22*nd April*, 1873.

MINUTES.] — SELECT COMMITTEE — Improvement of Land, The Earl of Carnarvon and The Earl of Ducie *added.*

PUBLIC BILLS—*First Reading*—East India Stock Dividend Redemption * (67); Elementary Education Provisional Order Confirmation (No. 1)* (68); Elementary Education Provisional Order Confirmation (No. 2) * (69); Land Drainage Provisional Order * (70); Portpatrick Harbour * (71).

Second Reading—Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) * [46].

Third Reading—Mutiny *; Marine Mutiny *, and *passed.*

Their Lordships met;—and having gone through the Business on the Paper, without debate—

House adjourned at a quarter past Five o'clock, to Thursday next, a quarter before Four o'clock.

HOUSE OF COMMONS,

Tuesday, 22*nd April*, 1873.

MINUTES.]—SUPPLY—*Resolutions* [April 21] *reported.*

PUBLIC BILLS—*Ordered—First Reading*—Fishery Inspectors (Ireland) * [136].

Second Reading — Innkeepers Liability * [49], *debate adjourned.*

Third Reading—New Zealand Roads, &c. Loan Act (1870) Amendment * [116]; Elementary Education Provisional Order Confirmation (No. 3) * [115], and *passed.*

LOCAL TAXATION.—QUESTION.

SIR MASSEY LOPES asked the First Lord of the Treasury, Whether, before asking the House to assent to the proposed remission of Imperial taxation, he will state in what way the Government propose to give effect to the decision of the House of Commons last Session with reference to the relief of ratepayers from charges imposed for the administration of justice, police, and lunatics, since no provision for this purpose has been made in the Estimates or in the Financial Statement of the Chancellor of the Exchequer?

MR. GLADSTONE: I hope, Sir, the hon. Baronet will receive with indulgence the answer I am about to make —because I must necessarily limit myself to an isolated point, as I could not enter into the various considerations which the Question suggests without anticipating, and perhaps even in some respects going beyond the statements which it will be the duty of my right hon. Friend the President of the Local Government Board to make to the House next week on the part of the Government. Looking strictly at the Question, it amounts to this—whether the Government will state their views upon the subject of the Resolution of last year, and of any measures it will be their duty to propose or suggest to the House in consequence of or in connection with it, before Thursday next, when the Budget will have to be considered. In reply to that, I have to say that it will not be in our power to do so. I may remind the hon. Baronet that, not so much from our own feelings as from deference to the views and opinions of Parliament, we had in 1871 introduced a Bill which involved in principle the relief of local burdens, in some form, which had been the object of so much desire. I do not speak of the particular shape in which it was proposed. I speak only of the principle to which the Government gave their adhesion. I have only to say that the Government have not receded from the opinion upon which they then acted, and upon a suitable occasion we shall desire to make some proposal with that view. But the question which we have now to deal with is whether we should include a proposal of that kind in the financial arrangements of the year. The Government had arrived at the conclusion that it would not be in their power to deal with the whole subject during the present Session. As regards the Budget, their business upon that occasion, as upon any occasion, was simply to determine what were the most urgent and pressing calls, and what was the mode of disposing of the available surplus which would, upon the whole, be most for the advantage of the country. We came to the conclusion that to make a partial provision for the payment of the sum due under the Award of Geneva, to reduce the sugar duties, and to reduce the income tax, were the measures which would be most satisfactory to the country. To that Resolution, of course, we adhere; and on Thursday next the House and the hon. Baronet will have the opportunity of giving their judgment upon that conclusion. I need not point out to the hon. Baronet that if he should differ from us, and if he should think it would be better to pass immediately a measure in the sense of his Resolution than to make partial provision for the Alabama payment, or to reduce the sugar duties, or to reduce the income tax, he will have a fair opportunity of making any such proposal, and of putting it in competition with the proposal of the Government. In stating that the Government have no further explanation to make before they submit their financial proposals to the House, I wish so far to guard myself against misunderstanding as specially not to allow the hon. Baronet to suppose we had receded from the important admission which in principle we made two years ago, with reference to our disposition to consider the best means of giving effect to views which had been expressed widely, and which had received the sanction of the House of Commons.

ARMY—RESERVE FORCES.

QUESTION.

COLONEL C. LINDSAY asked the Secretary of State for War, in reference to the Order in Council in the Appendix of the Reserve Forces Circular, dated 15th October 1872, page 6, paragraph N, Whether it is absolutely necessary that an officer should be present, in order to constitute a Company drill of Volunteers reckoning towards efficiency?

MR. CARDWELL: Sir, the recent Order in Council requires that for a company drill to count towards efficiency there must be present 20 at least of all ranks, of whom not less than three must be officers and sergeants. I do not consider it absolutely necessary, as a question of law, that one of the three should be an officer; but the intention was that, as a general rule, at least one officer should be present whenever it was intended that there should be a drill counting towards efficiency.

MERCHANT SHIPPING ACT—COLLISION BETWEEN THE "C. M. PALMER" AND THE "LARNAX."—QUESTION.

MR. MONTAGU CHAMBERS asked the President of the Board of Trade, Whether he will place upon the Table of the House the Minutes of Evidence taken by the Shorthand Writer at the recent official investigation by the Magistrate, assisted by the Nautical Assessors Captain Harris and Captain Oates, at Greenwich Police Court, into the circumstances of the collision between the screw steamer "C. M. Palmer" and the barque "Larnax," on the night of the 19th of February last, in Gravesend Reach, which resulted in the loss of three lives: viz. Lily Frail, the captain's daughter (of the "Larnax"), Thomas R. Boucher, the steward of the "Larnax," and John Guidott, visitor on board the "Larnax," together with the official Report or decision of the Magistrate and Nautical Assessors?

MR. CHICHESTER FORTESCUE, in reply, said, that there were no shorthand notes of the inquiry into this collision; but the notes taken by the clerk in the ordinary way could be produced if moved for. No official Report or decision had been made; indeed, the inquiry had been adjourned pending an appeal to the Privy Council from the Court of Admiralty.

WAYS AND MEANS—THE SUGAR DUTIES RESOLUTIONS.

QUESTIONS.

MR. HUNT asked, What would be the course of proceeding on Thursday with regard to the Sugar Duties Resolutions? He understood, before the Recess, it was proposed to take the Report of them on Thursday; but a rumour had since reached him that it was proposed to Recommit them. Was that correct, and was it proposed to Recommit them with a view to altering the duties?

MR. BAXTER, in reply, said, he had that night placed upon the Table amended Resolutions, which were to be substituted for Resolutions Nos. 2 and 3 in the Report which was to be received on Thursday. It was the intention of the Chancellor of the Exchequer to move that Resolutions Nos. 2 and 3 should be re-committed, in order to extend the time and make some other small changes. Therefore, on Thursday next, they would not be able to report them; but the Government intended to take the Report of the Income Tax Resolution on Thursday.

MR. HUNT asked whether it was proposed that the first business should be to move the Speaker out of the Chair for the purpose of moving the Sugar Resolutions?

MR. GLADSTONE said, he thought that as the particular proposal which had been made by his right hon. Friend the Chancellor of the Exchequer in regard to the sugar duties would require certain modification, the most regular course of procedure would be to go into Committee first on the Sugar Resolutions, in order that the proposals of the Government might be complete.

UNIVERSITY FELLOWSHIPS (COMPENSATION).—LEAVE.

MR. AUBERON HERBERT, in moving for leave to bring in a Bill to limit the compensation awarded on abolition of Fellowships in the Colleges of the Universities of Oxford and Cambridge, said, that the whole scope and intention of the measure was a very narrow and a very negative one. It in no way affected any existing Fellowships, but simply proposed that if any Fellowship should be hereafter abolished the holder of it should be compensated by receiving for it a sum of money equal to its value for three years. An opinion was generally prevalent that college Fellowships as they existed at present could not be maintained in the future. Most Cambridge lay Fellowships were held for a certain term of years; but Oxford Fellowships, on the contrary, whether lay or clerical, were generally tenable for life. Recently, however, two Colleges at Oxford had limited the term for which their lay Fellowships could be held. A life Fellowship was a great prize of £200 or £300 a-year given merely as a reward for one successful examination, and having no duties attaching to it, and it was now generally agreed that the funds of the Colleges might be devoted to much more beneficial purposes. He held, moreover, that it was just as much a waste of the endowments to apply them to the maintenance of Fellowships tenable for a term of years. There was a great difference in the tenure of fellowships at Oxford and Cambridge. At Trinity College, Cambridge, the lay Fellowships were held for seven years only after the taking of the M.A. degree. There were, however, certain exceptions to this rule, for a Fellowship was tenable for life if the holder of it had held office in College for 10 years. The Fellowships at St. John's were held on very much the same conditions as those at Trinity. At Queen's the lay Fellowships were held for 10 years. One-third of the Fellowships at Corpus Christi College were for life, and were tenable by laymen. At Trinity Hall the lay Fellowships were held for two years after the M.A. degree. All the Fellowships at King's College were held for life. A Fellow, whether he held his Fellowship for life or for a term of years, was essentially an annuitant, and yet there were no duties whatever attached to his office. It was true that in many instances he undertook College and University work, but this did not form an integral part of his office. Mr. Campian, in giving evidence before the Committee of the House of Lords of 1870-1 said—

> "I consider that at Cambridge all our Fellowships, considered in themselves, are sinecure Fellowships. They are prizes to which no duties are attached, except it be considered a duty to attend a College meeting three or four times a year."

The same gentleman added that Fellows were paid extra for College offices. A Return showed that the total number of

Fellows at Oxford (exclusive of All Souls College) was 338, and if to this number 30 Fellows were added for All Souls, the total would amount to 368. Excluding All Souls, 187 Fellows were returned as non-resident, and he believed that 29 out of the 30 Fellows of All Souls were not statutably resident. At Cambridge there were 297 Fellows, exclusive of Trinity College, where there were 60 Fellowships; 170 were returned as being absent, and, if 20 were added for Trinity, the total number of absentees would be brought up to 190. He admitted it was inconvenient to bring forward a University question while a Commission was sitting; but whatever changes might be made in the future, the present system of Fellowships, by which Fellows were made simple annuitants, and obtained large sums of money as the result of a successful examination, could not possibly last. He had this practical object in view—that, inasmuch as a considerable number of Fellowships became vacant and were filled up each year, they might be enabled under the Bill to get rid of those Fellowships by offering the holders of them a liberal amount of compensation. Whoever examined closely the employment of the University endowments would come to this conclusion—that there existed great waste of their funds, and that the great purposes of a University were not fulfilled. To show that he was not alone in that view, he would call attention to some opinions expressed in the evidence given before the Commission. Mr. Randall was asked what he took to be the great defect of the present system, and his answer was—"A waste of the great endowments of the University." In questioning Mr. Chase, Lord Salisbury said—

> "On the one hand there is a want of money to cultivate the new branches of knowledge, and on the other a great amount of money given to people who take no part in the work of the University."

And the answer was, "Yes." Dr. Liddon took the same view; and Sir Benjamin Brodie said there was such a plethora of Fellowships that he thought it would be a good thing to diminish their number; and in another part of his evidence he said that to take nearly the whole resources of the University and to devote them to Fellowships seemed to be a total waste of means. The Dean of Christ Church, on the same occasion, stated that the Collegiate system was forming itself, but that to form itself completely money would be required. Now, what was the amount of money which, taken away from the proper purposes of the University, went towards the payment of those enormous prizes? Roughly speaking, it amounted at Oxford to the sum of £90,000 or £95,000 a-year; and if they added £35,000 paid for scholarships, the total would be about £130,000 per annum. Professor Rogers calculated that if the sums paid for the various scholarships attached to the schools of the country were added to the sums paid for the Oxford scholarships it would bring the whole amount paid for scholarships and Exhibitions alone to £80,000 a-year. He had not, however, had an opportunity of testing the accuracy of that calculation; but, in round numbers, the revenue of the University and Colleges of Oxford would be found to amount to something very near £250,000 per annum. With such an endowment the country had a right to expect that the University should show a large amount of work done. Now, did the system under which the Universities were placed allow them to show a return of work done, at all in proportion to the amount of their revenues? How many students were there at the University of Oxford who matriculated with the intention of remaining till they took their degree? By a Return which was placed before the Commission it appeared that in 1860 410 matriculated, while only 306 took their Bachelor's degree. In 1862, 433 matriculated and 306 took their Bachelor's degree. In 1864 the numbers were 476 and 324; in 1866, 517 and 306; in 1868, 579 and 352. The same was true of Cambridge. Mr. Hamerton, in speaking of the year 1866, said that of 576 who matriculated the probability was that not more than 450 would take their degree. But adding 150 to the highest number he had quoted from the Return—namely, 352—they had about 500, an extremely liberal calculation of the number who in each year seriously intended to obtain degrees; and if they divided the £250,000 by 500 they would have £500 a-year for each man taking a degree, or £100 a-year for each if he remained five years at the University. Again, the Commissioners had before them a Return of the honours taken during seven years from 1860 to 1866, counting every class and every final school. The honours amounted to 939, which gave an average for each year of the seven of 133. Adding something for those who took honours in Moderations, the number would be about 250, so that practically a sum of £1,000 was paid to every man of the 250 by the time he left the University. Now, what would be the effect of allowing the Fellowships to be held for 10 years? The Commissioners calculated that in that case the vacancies each year would average 35. Taking the last three years of the seven he had referred to—and they were the best years—there were 117 First Classes gained every time. If they took the proportion of 35 Fellowships a-year as becoming vacant, the vacancies for those three years would have amounted to 105, so that, in fact, the torrent of prizes would be so great under such a system that there would be no competition for them between First Class men. Every man who could scrape himself into a First Class would be at least likely to obtain a Fellowship. The one great element—a powerful body of teachers—was lacking in the English Universities, while in the great German Universities it was amply secured. In the latter, indeed, the revenues were principally spent in this way, each teacher having a small province of instruction, of which he could make himself a perfect master, and the students being charged the lowest possible rates; while in England our infinitely larger resources were devoted to a prize system, which was barren and even mischievous. At Leipsic, with 800 or 900 students, the Faculty of Law, for example, consisted of a considerable number of Professors, who lectured on Roman law, German public law, ecclesiastical law, mining law, contracts, and other branches. The aim in Germany was to make the instrument of teaching as perfect as possible, while in England it was to perfect the instrument of examining. One result of this difference was that while University education was cheap in Germany it was dear in England; and the cause was clear, for, like everyone who was lavish in one direction, our Universities were obliged to act shabbily in another. In Germany the student paid only 16*s*. for matriculation, and for 17*s*. a term he could get five hours a week of the best lectures on philosophy, while the highest fee he was called on to pay in law or medicine was 34*s*. He could also attend a large number of free lectures, every ordinary Professor having to give at least two a week without charge. Now, in England, money being spent in great prizes, all sorts of expenses were thrown on the students. At Cambridge private teaching was deemed almost indispensable to a high place on the Tripos—Dr. Bateson, the Master of St. John's, stating in his evidence that an outlay on this head of about £40 a-year was almost essential to attaining such a position; and with keen competition and high prices there would always be a tendency to this. Mr. Hammond, moreover, regarded private teachers as supplying a want which the College lecturer could never satisfy. At Oxford, owing to better management, private teaching had much diminished; but in both Universities, College tutors were a serious expense. At Oxford the expense of them amounted to £20,000 a-year, and Dr. Bateson's estimate of £80 as the average annual charge on each student would give a similar total. So little public teaching was there at Oxford that the new class of "non-ascripts," formed for the sake of persons with small means, had to depend on the compassion of some of the Colleges in getting sufficient teaching to carry them through the schools. A non-ascript had to pay £4 10*s*. a-year for University dues, and £1 1*s*. for examination fees, while he was supposed to pay £10 10*s*. for tuition, some of the Colleges kindly admitting them for £2 a term to three hours a-week of lectures. Now, for the seven Prussian Universities any student by passing an examination could, in his last year, be admitted into a seminary; but this aid to students was very limited in extent amounting in 1861 to 30,228 thalers, out of a total outlay of 690,388 thalers. This item was, therefore, only 1-19th of the whole expenditure; whereas at Oxford more than half the revenue was devoted to Fellowships and Scholarships. A larger proportion of the population attended the German Universities. In Germany, according to Mr. Matthew Arnold, there was one matriculated student to every 2,600 of the population; and in Baden and the Saxon Duchies even one to every 1,100 of the population. In England, under the present system, they were able to send to the

Universities only one student to every 5,800 of the population. He admitted that the figures had, during the last few years, slightly changed for the better in our Universities. Speaking of the practice among Oxford teachers of not making teaching the profession of their lives, but of following it merely for a short time, Professor Conington found fault, not with the individuals, but with the system, and said that Oxford was to them simply a convenience; they took it as they found it. Again, Sir Benjamin Brodie stated that they would look in vain to the University to supply teachers; that he had known of cases in which application had been made and teachers could not be found; and that the great object was to secure an efficient body of teachers in the University. Referring to the German Universities, Sir Benjamin Brodie also said there was no doubt that they had the most efficient body of teachers. By these great prizes not only did we not spend our money in the way that would yield the greatest return and best fulfil the first purpose of a University, but we were doing positive harm in respect to the education. The effect of those examinations pressed so heavily on the men who went to the University, from the first day they were there to the last, that all feeling of their responsibility was taken away. They were forced into a certain rut and driven along a road at the end of which was a great examination. Professor Seeley, writing on that subject, said the effect of those prizes and the subserviency they caused to the examinations was to vulgarize the minds of students. If the higher branches of study were to do them any good, they should be followed for their own sake. Was not the work by which the student profited the most that which was most spontaneous, most self-chosen, and least mechanical? It was a common saying among Cambridge tutors that such and such a man would do well in the schools if he would not think too much—meaning by this that if he gave himself up entirely to the work before him, without questioning himself whether it was the line for which he was best fitted, and which would most enlarge his faculties and improve his nature —if he put himself implicitly in the hands of his teachers and "coaches," he would be more likely to do well in the schools. A young man who had thus carried off all the honours and prizes in the work he had to do had been known to sink back exhausted, wishing, like Alexander, that he had another world to conquer, but not knowing into what direction then to turn his energies. That must be the effect of the tremendous competition which now existed for those great money rewards which applied an artificial stimulus to force all their best men into a particular groove. The system, moreover, did not give a full and free opportunity for new subjects of education to grow up and assume their proper places; it being sometimes objected to a new subject, when proposed, that it was not a good subject for examination. Those rewards were highly artificial, and very unlike those obtained in the struggle of life. One success achieved in life induced a man to strive after still further success, but the reverse was the case in regard to these Fellowships; a man having once succeeded, he held his prize, whatever he did afterwards. The belief existed that it was impossible to educate Englishmen except by means of great prizes and rewards. This had once been said of some other country, when Leibnitz described the system as "the sophism of idleness." No doubt idleness was at the bottom of our present system. It involved less originality and less effort than a more perfect and more useful system. Its effect upon the teachers was unquestionably bad; it destroyed all originality, and prevented a Professor giving his best and most original thoughts to his pupils, because he was anxious that his pupils should be able to answer a set of stereotyped questions, rather than that they should be educated. The success of German University life was promoted by the freedom allowed both to the teacher and the taught. France and Austria might be referred to by way of contrast. Austria had been well described as being essentially a country of examinations, and in which nobody worked; and competition in France was more severe than in England. What, practically speaking, had been the result of the two systems? In Germany they had severe examinations for various posts; but they steadily set their faces against the system of competitive examination. France had adopted it, and so had we; but he did not know that we had any great reason to be well satisfied with the results. Looking back to the last 15 years, we had, no doubt, obtained from both Universities a certain number of distinguished men; but there was a growing feeling that we did not get men of the same strength of character, of the same independence of thought, or so free from the ties of conventionalism as we used to get under a bolder and freer system. He wished that in such matters more trust should be put in higher motives. Let them have faith in their countrymen, and put in them a trust analogous to that which had been reposed by the people of Germany in Germans, so that men might come with the smallest pittance of money, and yet might acquire the great rewards which the prosecution of learning presented. Then our great national Universities would again become great nurseries of national intelligence—great centres of life and force to the whole nation.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to limit the Compensation awarded on abolition of Fellowships in the Colleges of the Universities of Oxford and Cambridge." — (*Mr. Auberon Herbert.*)

Mr. BERESFORD HOPE observed that he would not follow his hon. Friend into any of his arguments. Considering how many reviews and magazines there were of great, though unequal, merit, it was rather unfair that what might have been a readable article in one of them should have been wasted upon these empty benches. He however protested against the whole scope and system of this proposed Bill. It had been reserved for his hon. Friend to invent "prophetic" legislation. This Bill was to circumscribe, and in circumscribing also to circumvent, a possible measure which might or might not be produced at some totally unknown future time, in consequence of the Report of a Commission which had not yet reported. It was trifling with the time of the House; and he (Mr. Beresford Hope) protested against the Bill as an attack upon the privileges of private Members—an attempt to take up a certain portion of that time which some private Members said was already too limited, with a view of legislation which could never be pushed forward. Not only did the hon. Member bring forward this Bill in contravention of all the principles which guided their deliberations, but he had supported it in a speech which he might be allowed to say was *rudis indigestaque moles*, and which had no relevancy to its subject matter. On that account he begged leave to announce that when the Speaker put the Question he (Mr. Beresford Hope) would answer it in the negative, and would take the sense of the House.

Question put.

The House *divided*:—Ayes 81; Noes 107: Majority 26.

CITY OF LONDON VOLUNTEERS.
THE ARTILLERY COMPANY'S DRILL GROUND.—RESOLUTION.

Sir JOHN LUBBOCK rose to call attention to the inconvenience suffered by the City of London Volunteers from the want of a convenient drill ground; and to move—

"That Her Majesty's Government be requested to take such steps as they may deem necessary to obtain for the City of London Volunteers the use of the Artillery Ground in Finsbury at such times as it is not required by the Honourable Artillery Company or the City of London Militia."

The hon. Baronet said, the City of London Volunteers consisted of three regiments of Rifles, one Brigade of Artillery, and one Battalion of Engineers, making a total of 4,500 men, with an average attendance of more that 1,000 a-week. At present, however, they had no drill ground and were compelled to go all the way to Hyde Park. It was hardly necessary to point out the inconvenience of large bodies of armed men walking through the streets. The City Volunteers would be both more numerous and more efficient if they enjoyed greater facilities of preparation. Now, there was in the heart of the City a large open piece of ground especially intended for military purposes, and at present almost unused. It was no less than seven acres in extent, situated close to Finsbury Square, within a quarter of a mile of the Bank of England, and well supplied with all the necessary accommodation. This piece of ground was now occupied—or rather, he should say, held—by the Honourable Artillery Company under two leases from the Corporation, and the Court of Lieutenancy of the City. These were not ordinary leases but leases for a special purpose—namely, "for the purposes of drill or military exercises," and liberty was expressly reserved to the Trained Bands of the City of London to "muster, train, and exercise therein." Now, the City of London Volunteers regarded themselves —and he hoped that this House would consider they were justly entitled to regard themselves—as the present representatives of the ancient Trained Bands. Under these circumstances, the Court of Lieutenancy for the City of London wrote to the Honourable Artillery Company in 1871, requesting them to make such arrangements as would enable the Volunteers to use the ground when they did not themselves require it, and when it was not in use by the Militia. This they declined to do. Again, last year the City of London Volunteer Committee decided to make another attempt, and the Lord Mayor, as chairman of that Committee, placed himself in communication with the Secretary of the Honourable Artillery Company, but with no better success. Lastly, this Spring the commanding officers of the Volunteers, unwilling to trouble this House or the Government if they could avoid doing so, once more addressed the Honourable Artillery Company, but without effect. Of course this could not be complained of if the Honourable Artillery Company really required the ground for their own purposes. Such, however, was not the case. He had no desire to hold up the Artillery Company to ridicule; but he must be allowed to state facts. The Company, according to the last list which he had seen, numbered on paper about 620 members; but it appeared from the official Return that of this number 239 did not attend a single drill, 140 attended less than nine drills in the year, and only 150 out of the 620 attended the number of drills necessary to constitute a volunteer efficient according to the present rules of the War Office. The average effectives for the last three years had been 250; but under the new regulations, which require musketry instruction, not above 150 would have ranked as effectives. He was informed that at the Artillery division drill on Mondays 12 men was about the average; that the other divisions drill on Thursdays, and did not generally muster more than 50 men; yet this very small corps held, at a nominal rent from the City authorities, magnificent head-quarters, drill-rooms, armoury, 100 yards' rifle range, guard-room, mess-room, ball-room, covered drill-yard, and seven acres of drill-ground in the heart of the City. A small portion of the buildings was paid for by the Company itself, and this no one proposed to touch; but in saying that they held the rest at a nominal rent he was understating his case, because, although they paid about £300 a-year for it, they had let off a portion for £2,400 a-year; so that they really enjoyed a subsidy of over £2,000 a-year, or considerably more than £100 a-year for each effective member. In considering, moreover, the expense at which this corps was maintained, we must remember that land near the Bank of England sells at the rate of £10,000,000 sterling per acre. The land in question was not worth so much; but putting it at half that price, here was a piece of land worth an immense sum of money, magnificent buildings, with a considerable and increasing income, all devoted to a corps which did not number 200 effectives. It was true the land was also used by the City of London Militia, but only for a few days in the year, and the Volunteers would not wish to interfere in any way with them. He felt that, under these circumstances, the House would sympathize with the natural wish of the Volunteers to have the power of drilling in a piece of ground which was so eminently suitable for the purpose, and which had been set aside by the City of London from time immemorial as a piece of ground for the use of the armed forces of the City. When the Artillery Company was the only representative of these forces they had the exclusive occupation of the ground; but the leases under which they held expressly stated that it was to be used for military purposes, and subject to the rights of the Trained Bands. This was no new question, but one which had been already discussed and decided by Parliament. When the Militia was enrolled at the close of the last century there was a difficulty about a drill ground, as there was now with reference to the Volunteers; then, as now, the Honourable Artillery Company stood on what they called their rights, and Parliament then interfered, as he hoped it would interfere now. By 36 *Geo.* III., c. 92, it was provided:—

"And whereas the said Militia, being an amendment or regulation of the ancient Trained

> Bands of the City of London, be it enacted that the said Militia already raised and to be raised by virtue of this Act, shall possess and enjoy all and singular the rights and privileges which were possessed and enjoyed by the ancient Trained Bands of the City of London, and which are not varied, altered, or taken away by this Act."

Under this clause, which showed that, in the opinion of Parliament, the Honourable Artillery Company had morally no exclusive right to the ground, it had ever since been used by the Militia, though, as a matter of fact, they only occupied it for a very few days in the year. He believed that the Honourable Artillery Company only existed during Her Majesty's pleasure. If it terminated, the lands and buildings which it held would revert to the Corporation and the Court of Lieutenancy. He should greatly regret the disappearance of so old a corps; but the question would necessarily arise, if it obstructed the public interests and interfered with the strength and efficiency of the Volunteers. The second objection which he thought might perhaps be brought against his Motion—namely, that this was not a case for the interference of Parliament or of the Government, he had already partly answered by showing that he was only asking for the Volunteers that which Parliament had already granted to the Militia. Moreover, the House would recollect that in the Military Forces Bill passed last year the Secretary of State for War was authorized to raise a sum of £50,000 to provide a metropolitan drill ground. That, therefore, was a matter which concerned, not merely the City Volunteers, but the country generally. It was obviously the duty of Government to take care that existing grounds were fully occupied before they spent large sums of money in providing new ones. It might be said that if the case was so clear, why did not the Volunteers assert their rights to use the Artillery Ground? But to establish a legal right would be a very tedious and costly affair. There were, moreover, certain technical differences between the constitution of the old Trained Bands and the Volunteers which would, of course, be urged against the claim; though he thought no one could deny that the Volunteers, as the armed force of the City, did in truth and in substance represent the old Trained Bands. He hoped that Parliament and Her Majesty's Government would assent to his Motion. He asked that in the name of the Volunteers; but it seemed to him to be desirable in the interests of the Honourable Artillery Company also; for he must say it was a grave scandal that the Volunteers should be compelled to march to a distance for a drill-ground, and that the public should be put to a considerable expense, when there was in the heart of the City a piece of ground in every way suitable, which had been and was now set aside by the City authorities especially for that purpose, and which, as he had conclusively shown, was not and could not be fully occupied by the Honourable Artillery Company. The hon. Baronet concluded by moving the Resolution of which he had given Notice.

Mr. MELLY seconded the Resolution.

Motion made, and Question proposed,

> "That Her Majesty's Government be requested to take such steps as they may deem necessary to obtain for the City of London Volunteers the use of the Artillery Ground in Finsbury at such times as it is not required by the Honourable Artillery Company or the City of London Militia."—(*Sir John Lubbock.*)

Colonel LOYD LINDSAY said, he rose, after the speech of the hon. Baronet the Member for Maidstone, because he thought that by making a short statement and reading two or three short paragraphs, he might render further discussion unnecessary and save the time of the House. The object which the hon. Baronet wished to accomplish was a very proper one. It was to provide exercising ground for the City Volunteers, who were without any such convenience. The West End Volunteers had nothing to complain of in that respect. They had the Parks, which were within easy distance, and they had open spaces on which to parade, accorded to them by public bodies and private persons, if one could use such a term when speaking of the Archbishop of Canterbury, who allowed a regiment to drill in his grounds at Lambeth. The City Volunteers were not so fortunate. They had to parade in the streets—amid a crowd of passengers and among carts and carriages. The hon. Baronet had told the House that the Artillery Company were in possession of a very good drill-ground in Finsbury; but he had not told the House that this ground was as indisputably the right and property of the Company as any house or property could be. The Honourable Artillery Company had held from time immemorial about eight acres of ground behind Finsbury Square, in the City of London. Half was held—with considerable house property adjoining—under a renewable lease from the Corporation of the City of London, the other half was held for the residue of a 99 years' lease from the Ecclesiastical Commissioners. For these leases the Company had paid considerable sums. In both leases was reserved the right of the Militia to use the ground on four days in the week during the four weeks they were usually called out; but, subject to that, the ground, and the right of using it, belonged exclusively to the Artillery Company. In addition to the rental received from the Company's houses, the members contributed yearly subscriptions for maintaining the body without any cost to the public or contribution. In that state of the case it was suggested on the part of the Volunteers that they had the same rights as the Militia over the ground of the Artillery Company. The latter denied that there was any foundation for any such claim, and they were confirmed in that denial by the opinion of the Attorney General and of Mr. Bowen, to whom were submitted the titles under which the Company held the ground in question. The Artillery Company, recognizing the disadvantages which the City Volunteers were placed under by having no place to parade in save the streets, were willing to ask the trustees of their property to take such steps as might enable them to permit other corps to use the Artillery Ground upon payment of an agreed compensation. Unfortunately, at the very time when that was about to be agreed to, the City Volunteers sent, through their Colonels, the following letter:—

"London Rifle Volunteer Brigade Headquarters,
17, Finsbury Place South, E.C., Feb. 20.

"Gentlemen,—We, the undersigned Commanding Officers of the Volunteer Regiments of the City of London, who claim to be the successors of the London Train Bands, have the honour to request that you will appoint a committee to meet us, with a view to arrange for the use of the ground and premises at Finsbury, now occupied by the Honourable Artillery Company, by our various regiments, according to the provisions of the leases in favour of the Train Bands under which the land and premises are held.

"We have the honour to remain, Gentlemen your obedient servants,

"Arthur D. Hayter, Lieutenant Colonel commanding 1st City of London Rifle Volunteers.

"Robert P. Laurie, Lieutenant Colonel commanding 3rd London Rifle Volunteers.

"C. Bainbridge Vickers, Lieutenant Colonel commanding City of London Rifles.

"H. Garnet Mar, Lieutenant Colonel commanding 1st London Engineer Volunteers."

Here was a distinct claim made by the City Volunteers, who called themselves the London Trained Bands, to the ground and premises. The Artillery Company, on receipt of this "Stand-and-deliver-up-your-property" document, refused to proceed with the very liberal proposal which he had described. The Volunteers, on this being made known to them, withdrew the letter written by the colonels, but had never withdrawn the claim to the property. It must be evident to the House that so long as this claim was asserted no arrangement could be come to, because it would be as if the Artillery Company were endeavouring to buy off a just claim by making a concession. When two parties claimed the same property, and persisted in their claims, there was only one course open to them, and that was to go before the Law Courts and have their rights decided. He invited the hon. Baronet to proceed in this legitimate manner; but unless the hon. Baronet was very fond of a law suit and its expenses, he would hesitate to do so with the opinion of the Attorney General before him. He had now shown that the Artillery Company had an undoubted right to their parade and drill-ground, and that if there was any dispute about it, the House of Commons was not the proper place wherein to discuss it. If the hon. Baronet would, on the part of the City Volunteers, undertake to withdraw unreservedly all those unsound claims which they had set up, he would endeavour to bring about an amicable arrangement for the advantage and benefit of the City corps; but the Resolution of the hon. Baronet did not facilitate matters, for its terms were quite inadmissible, and he was sure they could not be accepted by the Government.

Mr. CARDWELL said, he thought the speech to which the House had just listened presented a fair prospect of a settlement of this question. His hon. and gallant Friend had shown a perfect readiness on the part of the Artillery Company to meet the natural and legitimate wish of the City of London Volunteers to use the drill ground. But, as he understood, this was a question not of policy but of property. His hon. and gallant Friend said that if there were a claim of law it should be pressed in a Court of Law; but, if not, such a claim should be withdrawn, and then the Artillery Company would be perfectly ready to consider whether some satisfactory arrangement might not be made. This being the position taken by the Artillery Company, he appealed to his hon. Friend (Sir John Lubbock) not to persist in a Motion which was really the obstacle to its own success. At all events he, on the part of the Government, could be no party to any invasion of the right of property, or take upon himself to decide any question affecting property.

Mr. CRAWFORD also asked his hon. Friend the Member for Maidstone (Sir John Lubbock) to withdraw his Motion. He thought that the offer of the hon. Member for Berkshire (Colonel Loyd Lindsay) was a perfectly fair one, at any rate from his point of view, and he also thought it was to be regretted that this matter had come under the notice of the House, for if the two hon. Gentlemen had met in a room they could have settled it in a short time without any waste of the time of the House.

Mr. MELLY said, he thought his hon. Friend (Sir John Lubbock) and the hon. and gallant Member (Colonel Loyd Lindsay) might easily settle the question between them in a manner satisfactory to both sides.

Sir JOHN LUBBOCK said, that it was not so easy to deal with the Honourable Artillery Company as his two hon. Friends supposed. It was only after exhausting all other means that the City of London Volunteer Committee requested him to bring the matter before Parliament. He must remind the hon. and gallant Gentleman (Colonel Loyd Lindsay) that, in 1871, the Court of Lieutenancy in a most temperate letter requested that the Volunteers might be allowed the use of this drill ground, but the Artillery Company declined to grant this request. In the following year the Lord Mayor, as chairman of the City of London Volunteer Committee, again requested the Artillery Company to allow the use of the ground when they did not require it, and the request was again declined. It was true the legal claim had been put forward in the letter of the colonels; but while he thought the Volunteers, as the successors of the ancient Trained Bands, had an equitable claim to use this drill ground, he had never advanced any legal claim on their part. It was one thing to deny that the land in question was private property, it was another to assert that the Volunteers had any legal claim. He based his Resolution not on legal rights, but on public policy. However, if the hon. and gallant Gentleman would bring the matter before the Honourable Artillery Company, and if Government would give this matter their consideration, he could not but think that an arrangement would be made which would be satisfactory to all parties. As he had to a great extent obtained his object, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

CENTRAL ASIA.

MOTION FOR AN ADDRESS.

Mr. EASTWICK, in rising to call attention to the state of affairs in Central Asia; and to move an Address for Copies of Correspondence relating to the Missions to Khiva of Mr. Thomson and Rajib Ali; and, of any Dispatches in 1862 and 1863 respecting the employment of British Officers with the troops of His Majesty the Shah, and respecting the state of Khurásán at that time, said—

> "It is admitted by all that the Central Asiatic question has now reached a stage when any further delay in its settlement is impossible, and at which, in one way or the other, it must be brought to a conclusion."

These were not his words, but the words of General Romanovski, after he had, on the 23rd of December, 1866, resigned the government of Turkestán. On the 20th of May in that year, he had, to use his own expression, annihilated the Army of the Amír of Bukhárá, in the decisive battle of Irjár, taken by storm on the 5th of June following—"That most populous, wealthy, and picturesque city of Central Asia, Khojend," by which he perfectly tranquillized the new Russian Province, which he had thus extended southward to the 40th parallel, and further completely severed by Russian territory the Khanates of Bukhárá and Kokand. Finally, on the 13th and 30th of October in the same year, he took from Bukhárá, with a loss to the enemy of 8,000 men, the strong fortresses of Ouran Tiubé, and Jizákh, by which the whole Valley of the Jaxartes fell into the possession of Russia. Since then, the whole Valley of the Oxus, too, had in like manner been engulphed in the same immense Empire; its limit had been advanced from the 40th to the 38th parallel—that is, having already in 1866 passed in Asia beyond the parallel of Constantinople, it had moved still further southward to that of Sicily and Crete. Russia had thus become conterminous with the northern frontier of Persia along its entire length, and with Afghánistán, and had also made strides towards the Great Wall of China. Might we not, then, repeat the words of the victorious Russian general, and echo back to him that any further delay in the settlement of this question was impossible.

In one way or the other it must be brought to a conclusion. It might, however, perhaps be said, that the question was already settled, and that in the Papers in his hands, containing the results of the Granville-Gortchakow negotiation, its settlement was recorded. He was unwilling to disturb the repose of those whose wish was father to this thought, and who, from the happy corners of ignorance and indifference, were, no doubt, weaving, as had so often happened before, economical dreams as to the future impossibility of war, the reduction of our forces, and the transmutation of breech-loaders and bayonets into railway-sleepers and locomotives; but in approaching this question the notions of the careless and superficial were as much to be deprecated as those of the alarmist, and it would be his aim, therefore, to take the middle course and present things as they really were, leaving theory to others while taking his stand on facts. He would begin, then, by remarking that the Central Asian question was not a single, but a many-sided one. It had several aspects distinct from one another, but not unreal or untruthful from the different points of view from which the question was regarded. There were the Russian, the Central Asian, the Anglo-Indian, and the religious aspects. Nor was this all; for some of these had varied much in the course of time, changing with the change of circumstances. Like revolving lights, they became dim, and were even altogether obscured at intervals and then flashed out again into startling brilliance. The change of the beacon, however, must not make us forget even for a moment that the danger was there still, and that we must give due diligence to steer our course so as to avoid it. He would commence with the Russian aspect of the question, and he desired to speak with the utmost diffidence, and to express his regret that it had not fallen to the lot of some one better acquainted with Russia and Russian policy than himself to deal with this part of the question. He had had, indeed, some opportunities of studying it; he had travelled through Caucasia, crossed the Caspian in Russian steamers, in a merchant vessel, and in a man-of-war, and had visited one, at least, of the principal Russian depôts. He had landed at Ashurádah and at Astarábád, and had passed along the whole frontier of Khurásán to that of Hírát. He was, too, for three years in communication with the diplomatists and Consular officers of Russia in those parts; and had done his best to learn something of the history of that grand and interesting Empire. But the little knowledge he had thus gained was only enough to show him the difficulty of predicting the course which might be taken by the Imperial Government towards the rest of Asia, of which immense Continent it already possessed more than a third—more, that was, than 6,000,000 of square miles, having even within the last quarter of a century, acquired there a territory almost half the size of Europe, thus leaving behind the lagging footsteps of our statisticians, and making our gazetteers and encyclopedias out of date. Abandoning, then, attempts at vaticination to those whose profound knowledge was a justification, or whose utter ignorance was an excuse for indulging in them, he would proceed to state facts which it would be difficult to invalidate, and from which hon. Members might draw what inferences they thought best. He would ask, however, for the indulgence of the House if he dwelt long on the history of the question; for, without a connected view of it, it was impossible to come to a right conclusion. The first fact was that Russia was at least as much an Asiatic as she was an European Power. This was a fact which should never be lost sight of in dealing with this question of Central Asia, because it had both a sentimental and a practical bearing upon it, the importance of which could not be overrated. Yet during the last century and a half Russia had exerted so powerful an influence on Europe, and had extended her dominion so far into the very centre of our Continent, that her Asiatic origin and nature were, perhaps, too much forgotten. Of the three races, however, which composed the great Russian people, two, the Ugrian and the Turk, were purely Asiatic; and the other, the Sarmatian, which included the Sclavonic, only half European. As for the Varangian or Scandinavian element, it was far too little to leaven the whole lump. But it mattered not what European mixture there was in the Russian nation up to the 13th century, for whatever it was, it then all passed through the Asiatic Mint, and at no more remote date than that of our Henry III. was all, as it were, re-coined when the Mongols conquered Russia and held it for three centuries. The facts of which he would speak, though remote, were germane to the question, and had a most remarkable bearing upon it. With Asiatics, thought was stereotyped, and the invasion of which he was speaking, strange as it might seem to us, had a living influence on the events which were now taking place in Central Asia. The conquests of the Mongol Emperor, Tamugin or Chingíz, were the most stupendous ever achieved by one man, and of the four portions into which his immense empire was divided at his death it was the fact that that which went to the heir of his eldest son was a great part of that Central Asia of which he was speaking, and Russia. This portion, itself an enormous empire, was divided into the four Khanates of Kazan, Astrakhan, the Crimea, and Kipchak, which last comprised Khiva, the Caspian, and perhaps part of Bukhárá. Never was there a more iron yoke, or a bondage more complete and ignominious than that imposed by the rulers of these Mongol Khanates on Russia. It lasted till 1480, when the Golden Horde or Camp of Astrakhan was destroyed by the general of Ivan III., the Nogai Tátars of the Crimea, and the Hetman of the Cossacks; but the struggle was not completely over till 1554, when Ivan the Terrible captured Astrakhan, having two years before taken Kazan. For three centuries, then, the Mongols enslaved Russia, and for the succeeding three centuries Russia had been subjugating the Mongols. The whirligig of time had indeed brought strange revenges, for the successor of those grand princes, who held the horses of Uzbek envoys in the attitude of slaves, was now the Arbiter of the destinies of the whole Uzbek race. If it were allowable to argue from a somewhat parallel case, he might point to the four invasions of Constantinople by the Varangian rulers of Russia, the last of which took place in the 11th century, and the attempts to renew them by the Czarina and Czar of the 18th and 19th. But he should have to return to this matter in order to notice some facts which he imagined would surprise the House, and in the meantime he admitted it to be not improbable that the continued passage of envoys and travellers from other European States through Russia to Persia, India, and China during the Middle Ages might have had an effect in inducing Russia to advance in the same direction for commercial as much as for political reasons. These missions and expeditions began as early as the 9th century, when Alfred the Great sent the Bishop of Shernburg on a pastoral mission to Christian Communities in India across the Caspian and by way of Balkh. From the 13th century the intercourse of Europe with Central Asia through Astrakhan became frequent up to the 16th, when the adoption of the sea route to India caused the more arduous route overland to be wholly disregarded. and discontinued. Russia, however, continued to advance, and the more her European dominions were consolidated, the more she extended her power in Asia, and the more portentous grew the shadow she cast over that vast continent. The historical writer, Bell, indeed told them that "Russia that had been Asiatic under the Ruriks, rapidly developed a tendency to become European under the Romanofs," and he added that after the Treaty with Poland, in 1619, "Russia, so long considered an Asiatic nation, began to take its place among the European States." But facts proved that the advance of Russia in both Continents went on *pari passu,* and that if in one period an onward stride was made in Europe, the next period saw a corresponding stride in Asia. Thus the acquisition of the provinces of Perm and Viatka at the close of the 15th century, and of Kazan and Astrakhan in the 16th, on the European side of the Ural mountains, was balanced by the submission in 1574 of the Bashkirs, the original inhabitants of the Orenburg territory, and by the annexation of vast tracts in the immense region of Siberia, on the Asiatic side of the Ural range, the conquest of which was commenced and carried a long way by Yermak, the Don Cossack, about that time. The same balance was maintained in the reigns of Peter the Great and Catherine II., and he could not assent to the statement of General Romanovski, that the Asiatic conquests of those Sovereigns were not conducted on any system or preconceived plan. He said nothing of that somewhat apocryphal document, the Czar Peter's will; he only looked at facts. Peter commenced by sending expeditions up the Oxus to Bukhárá, and across the Khivan territory, the most famous of which was that of the unfortunate Prince Bekevitch in 1717. The great Czar settled Americans at Astrakhan to carry on the silk trade with Gílán, and a Russian company at Shamákhí, in the heart of the Persian provinces, on the Caspian. He encouraged shipbuilding on the Caspian, and General Perovski admitted that his attention continued to be steadily directed to the regions of Central Asia, to explore which he despatched Beneveni to Bukhárá in 1718. Finally, he devoted the latter years of his life to the conquest of Persia. On the 15th of May, 1722, he sailed with 49,000 men to attack the Persian provinces on the west coast of the Caspian, and next year he concluded a Treaty with the envoy of Sháh Támásp, by which Persia ceded to him Darbend and Baku, Dághistán, Shírwán, Gílán, Mazandarán, and Astarábád, on condition of his expelling the Afgháns from Persia, and seating Támásp on the throne. Sir John M'Neill had told us that this was a discreditable transaction, and that it was wholly disavowed by the Sháh. Be that as it might, it was certain that Peter was looking only to extending his empire, for he made no attempt to assist Támásp, and no sooner was he dead than a partition Treaty was made on the 8th of July, 1725, between Russia and Turkey, by which Catherine—who was no doubt only carrying out her husband's scheme—was to have all the Caspian provinces, and Turkey all the rest of Western Persia. It was not till 1732 and 1735, after 130,000 Russian soldiers had perished by disease in those provinces, that they were restored to Persia. But, as usual, Russia, while forced to relinquish territory in one quarter was rapidly acquiring it in another. In 1703, Ayuk, the Kalmyk Chief, with great numbers of that tribe, crossed from Central Asia and settled in Russia. In the same year the Khán of Khiva did homage to the Czar as did several of his successors, whence, according to General Perovski, "arises the positive right of Russia to the Khanate of Khiva." In 1732 the Sultán of the Lesser Horde of the Kirghíz Kazzáks swore allegiance to the Empress Anne, as did also the Kárá Kalpáks, and about the same time—that was, in 1728—the Treaty of Kiakhta added that important place to the vast territory which had been acquired in Siberia, and which already extended along the whole breadth of Asia to Behring Straits. At this time, however, a period of trouble and disaster set in for Russia, especially on her southeastern frontier, which lasted till about 10 years after the accession of Catherine II. The reigns of her rulers were brief, and in some instances disastrous. The Bashkirs rebelled in 1735, and continued in revolt for six years. They rebelled again in 1755, and in 1771 the Kalmyks, 400,000 in number, attempted to escape from Russia and to return to Central Asia; but Russia, rather than lose her hold on this part of the Mongol race, pursued them into the Steppe, where the troops of General Fravenberg and the Kirgiz almost entirely destroyed that vast multitude. In 1773 the rebellion of Pugatschef shook the throne of Catherine, and by it, and the previous revolts, the progress of Russia in Asia was delayed for more than 70 years. But this long struggle only brought out into stronger light the intense tenacity with which Russia holds to her policy of annexation, a policy from which it might be truly said, that—

"Neither heat, nor frost, nor thunder,
Can wholly do away I ween
The marks of that which once hath been."

At the end of 1772 the era of conquest recommenced with the partition of Poland, and two years afterwards the Treaty of Kainarjí paved the way to the absorption of the third Mongol Khanate, the Crimea. The close of the 18th century, and of Catherine the Second's reign, saw Russia with her European dominions vastly enlarged preparing for fresh conquests in Central Asia by receiving the submission of the Turkumans, and invading Persia with a formidable Army. From this time to the Crimean War, he passed over the history of Russian wars and annexations, *eandem semper cantilenam*, for they had been sketched by the masterly pen of the author of that famous pamphlet, *The Progress of Russia in the East*, which had no doubt been read by all who heard him. There were only one or two points in the chronicles of that half century to which he would briefly advert. The first was the agreement between Paul and Napoleon in 1801 for the invasion of India. The invading Army was to consist of 70,000 regular soldiers, Russians and French in equal numbers, and 50,000 Cossacks, and was to be conveyed from Astrakhan to Astarábád—a voyage which took three days now—and march thence to the Indus by way of Hírát, Farah, and Kandahár. Seventy years ago, then, Russia adopted the idea of invading India by way of Hírát, the nearest point of her territory being then at least 1,200 miles from that city. The distance was now barely 400 by way of Khoja Sálih and Marv. This project of invasion revived with the Treaty of Tilsit in 1807, and re-appeared for the third time during the Crimean War, adding one more proof, were any required, of the fact that an aggressive idea once adopted by Russia was never abandoned. Another instance was the scheme of annexing Khiva attempted by the Cossacks in the 17th century, again determined on and attempted by Peter the Great in 1717, resolved on by Nicholas in 1830, and attempted by him in 1841, disavowed by Alexander II. in 1869, and accomplished by him in 1873. He dwelt for one moment on the preparations made by Nicholas in 1830, because they were the sequel of an aggressive movement so complicated as to be rare even in the history of Russia. On the 21st of February, 1828, Russia hastily concluded the Treaty of Turkumánchái with Persia, by which she annexed a considerable territory, in order to attack Turkey, and having brought that State to the very brink of destruction, at the last moment conceded to her, at the intercession of the other great Powers, another half century, it might be, of existence by the Treaty of Adrianople on the 14th of September, 1829. But no sooner was the Treaty signed, than Nicholas collected troops at Orenburg for the reduction of Khiva, and entered into an agreement with Persia to divide the spoil—an agreement which would have been carried out had not the Russian Army been hurriedly called away to suppress the rebellion which had broken out in Poland. Another passage in this period of history to which he must refer, was what happened with respect to Persia in 1837. In February of that year our Ambassador at St. Petersburg, Lord Durham, remonstrated with Count Nesselrode on the conduct of Count Simonich, the Russian Minister in Persia, in urging Muhammad Shah to advance against Hírát. Count Nesselrode replied that if the Count had acted in the manner stated by Sir John M'Neill, he had done that which was in direct opposition to his instructions, and he (Count Nesselrode) entirely agreed with the English Government as to the folly and impolicy of the course pursued by the Shah. Yet at that very time the secret emissary of the Russian Government, Captain Victevich, was carrying to Kábul and Kandahár letters from the Emperor, asking the chiefs of those Principalities to connive at the capture of Hírát by the Persians; and shortly after Count Simonich took the command of the Persian troops in the trenches before that city, and a regiment of Russian deserters that just before had been made over to the Count, assisted in the siege and in the assault. But he had no wish to dwell upon these facts. He mentioned them simply because, if he found similar disclaimers in the negotiations which they had to consider to-night, they might have a standard by which to judge them, and might estimate the wisdom of the Government which deemed it to be thoroughly safe to rely upon them. For the rest he desired to speak with respect of a great Power, which had sometimes been our Ally, which had accomplished a great work of civilization in the immense and inhospitable regions of Siberia, where no other European State could penetrate, and which had, at least, one justification for its boundless ambition, and that was unbounded success. He said nothing, then, of secret Articles, such as that of the Treaty of Unkiar Skelessi, of schemes of annexation so wild as to be almost incredible, such as the designs of Paskievitch on Baghdad, the attempt to purchase Astarábád, not indeed so absurd now, and to acquire Thibet; and he contented himself with summing up this part of the subject in the words of Sir John M'Neill, in 1837, that even then Russia had annexed more than half Sweden, as much of Poland as equalled the whole of Austria, and of Turkey in Europe as was equivalent to Prussia, a part of Persia as large as England, and provinces of Turkey in Asia and Tátary co-extensive with the rest of Europe. But he came now to 1854, and he thought that hon. Members who did not know the fact would be astonished to learn that at that time, when one would have imagined that the whole mind of Russia was concentrated on the Crimean War, a committee was actually sitting, of which Count Perovski, then Governor General of Orenburg, and General Hasford, Governor General of Western Siberia, were members, to decide on a plan for connecting a line of forts which ran from Siberia to the base of the Thian Shán mountains with a converging line from Orenburg along the Jaxartes; in other words, upon the occupation of Central Asia. In alluding to this fact, General Romanovski said, with a *sang froid* which bordered on the sublime, "While accepting this decision, which must have inevitably led one way or another to the subjection of Kokand, Bukhárá, and Khiva, the Russian Government was far from entertaining any ambitious views!" The Russians had, in fact, long been preparing for this advance. In 1833 they had built the Mangishlak Fort on Khivan territory, in the north-east corner of the Caspian, and in 1842 they had occupied Ashurádah belonging to Persia in the opposite extremity. They had erected the Orenburg, Ural, and Kárabulak Forts, in the Orenburg Steppe on the rivers Turgai, Irgíz, and Karábul, and Fort Raimsk, or Aralsk, east of the Aral Sea in 1847, and in 1848 had launched a steam flotilla on that sea. In 1851 they commenced the capture of a line of forts, built from 1817 to 1847 on the banks of the Jaxartes by the Kokandians. They had thrust back the Kirgiz from the Orenburg Steppe, and had spread over it a Cossack population of 239,046 men, women, and children; and, above all, they had established a fortified line of posts in the shape of a crescent, from Guriev, on the Caspian, to Orenburg, Orsk, Troitska, Petropalovski, Semipalátinsk, and Bakhtarminsk, which extended far up into the Altaí mountains, and over a distance of 2,200 miles. It was from those lines, from the horns of the crescent, that they now proposed to advance a wedge of fortification which would enable them to go forward 1,000 miles, and take up another position at the foot of the mountains of Khurásán. In 1853 they took Ak Musjid, an important fort on the Jaxartes, commanded by Yakúb Beg Kushbegi, now better known as the Atáligh Ghází, the present ruler of Kashgár, who made a heroic defence. Operations were somewhat retarded by the Crimean War and a rebellion of the Kirgiz, but they were never abandoned. In 1854 they founded Fort Vernöe, and occupied the Trans-Ilí region. Vernöe is 800 miles from Petropalovski, that is from their original base of operations, and it became the capital of the Great Horde of the Kirgiz, numbering 118,000 persons, who all became subjects of Russia. In 1858, M. Khanikoff, a distinguished diplomatist and man of science, with eight other *savants*, was sent on a mission to Hírát, which he thoroughly examined and surveyed. In 1859 Gounib was taken, and Schamyl sent prisoner to Russia. The Circassian Exodus followed, and the great Army of Caucasia was set free for fresh conquests. In 1860 General Zimmermann destroyed the forts of Pishpek and Tokmak, belonging to Kokand. Thus, in 1864 the time had arrived for a general advance, so as to effect the junction of the Siberian and Orenburg Lines recommended by the committee of 1854. Accordingly, General Cherniayef, with 2,500 men, moved from the east along the Siberian Lines, and General Verëfkin, with 1,500 men, from the west along the Jaxartes Line. On the 6th of June, General Cherniayef, after capturing some smaller places, took from the Kokandians, with a loss to them of 700 killed and wounded, the strong fort of Auliéta, and on the 19th General Verëfkin captured the City of Turkestan, thus effecting a junction between the two lines of advance, and on the 22nd of September the City of Chemkend fell to General Cherniayef. The object the committee of 1854 had in view was thus accomplished, and Russia had attained a position in Central Asia which enabled her to control the Uzbek States. It was unnecessary to advance further, and she determined to affect a virtue of moderation if she had it not. Accordingly, on the 21st of November, 1864, Prince Gortchakow addressed a Circular Despatch to the Representatives of Russia at foreign Courts, declaring that the town of Chemkend "fixed for the Russians with geographical precision the limit up to which they were bound to advance, and at which they must halt." But the ink of this remarkable document was no sooner dry than their conquests recommenced. In fact, the Russian advance was never suspended at all, not even at the time when Prince Gortchakow was penning this admirable despatch, which was a model of diplomatic writing, and which pointed out with much eloquence and no little truth, how it had been the fate of every country that had barbarous neighbours—the United States in America, France in Algeria, Holland in her Colonies, England in India—to be irresistibly forced "less by ambition than by imperious necessity" to an onward march of conquest, "where the greatest difficulty was to know when to stop." It was desirable to appease the jealousy of England, and, perhaps, of France and Germany, and a despatch cost a Russian diplomatist so little, hence this Circular; but the Government of the Czar had clearly no real intention of pausing in their career of conquest, and they had none now. From that day to this the Russians had been ceaselessly advancing, not in Central Asia only, but along the whole line, as he would show. Chemkend fell on the 22nd of September, and on the 27th General Cherniayef advanced 70 miles to the south against Tashkend. It was a city of 100,000 inhabitants, but he hoped to carry it by a *coup-de-main*. He was repulsed, with the loss of 16 killed and 64 wounded; but he had only 1,550 men, and the wonder was that with so small a force he should have ventured to attack so great a city in the midst of a hostile population of 500,000. On the 4th of December the Kokandians, encouraged by this success, attacked, under Alim Kul, their ruler, the station of Chilik, between Chemkend and Turkestán, in immense force. A detachment of 100 Ural Cossacks, sent from Turkestán with a howitzer to relieve Chilik, were here almost destroyed, losing 5 officers and 52 men killed, and 2 officers and 41 men wounded. Yet they defended themselves for three days against a whole army, until relieved by a force from Turkestán. Few more gallant actions were ever fought, and he mentioned it in order to show what sort of troops those Ural Cossacks and the advancing columns of the Russians were. On the 12th of February, 1865, the newly-acquired territories of the Russians were, by an Imperial Ordinance, erected into the province of Turkestán, which was at first made subordinate to Orenburg. General Cherniayef was appointed Governor and Commander-in-Chief, but the Government of the Czar refused to sanction his project of annexing Tashkend; but, it was added, "took care to supply him, without loss of time, with means for a strong defence;" in other words, gave him 15,000 men, and threw on him the responsibility of advancing. This he was quite willing to accept, and on the 29th of April he took the strong fort of Niyazbek, 15 miles north-east of Tashkend, and commanding its water supply; and on the 7th of May he took up a position against Tashkend itself, repulsing on the 9th a sortie of 7,000 men, and killing Alim Kul, the ruler of Kokand, who led it. Tashkend fell on the 15th of June, and reinforcements were immediately sent from Orenburg and the Volga, but were long in arriving. Meantime, in October, General Cherniayef sent an embassy to the Amír of Bukhárá, "who had the audacity to detain it;" whereupon General Cherniayef made an unsuccessful reconnaissance in the territory of Bukhárá, and was, consequently, in January, 1866, replaced by General Romanovski, who requested that he might not be hampered by formalities, and reaching Tashkend on the 25th of March went to work at once. On the 22nd of April the first steamer with reinforcements arrived from Fort Perovski on the Jaxartes, and soon after came another, proving that the Jaxartes was navigable, and that the stories to the contrary were fabrications meant to blind us. On the 20th of May was fought the decisive battle of Irjár, to which he had already alluded. The Amír of Bukhárá was utterly routed, with the loss of all his baggage, guns, and ammunition, and at least 1,000 men killed, while the Russians had only 12 men wounded. The cities of Náú, Khojend, and Ouran-Tiube—all important places, situate 80, 70, and 100 miles to the south of Tashkend—fell on the 26th of May, the 5th of June, and the 13th of October. In the last place the Russians lost only 17 killed and 210 wounded, and acknowledged to have themselves buried 2,000 of the enemy; while the Bukharians put their loss at 15,000 killed and wounded. On the 30th of October, Jizákh, in the territory of Bukhárá, 90 miles west of Khojend, was stormed, and 53 guns taken. The Russians had 6 killed and 92 wounded, while the Bukharians had 6,000 killed. General Romanovski was relieved at the end of 1866 by General Kauffmann, who was said to be one of the ablest officers in the Russian service, and the only one not to be tempted into fresh annexations. However, on the 14th of May, 1868, he, too, advanced, and captured on that day Samarkand, the city of Tímúr, which he entered at the head of a brilliant staff, among whom was the Afghán Prince, Iskandar Khán. The gallantry of the Russian soldiers had been beyond praise; but the circumstance most important to us, and the only one to which he would call attention, was that after that battle a corps of Afghán refugees, 300 strong, which had been with the Amír of Bukhárá, came over to the Russians, and were now in their service, commanded by Iskandar Khán, son of Sultán Ján, the ruler of Hírát, and the murderer of Sir William Macnaghten. It was only natural that these events should have attracted the notice of the Viceroy of India and of Ministers in this country, but he did not see why there should have been any mystery about the course intended to be taken. Nevertheless, mystery there was, and when in the Session of 1869 he proposed to call attention to the subject, he was twice requested by the Prime Minister to postpone—pending negotiations—the Motion, which he was not enabled to make till the 9th of July in that year. Those negotiations were before the House, and he would say at once that he did not see why they should have been kept secret; nor, secondly, why they were entered into at all. He was always alarmed when we began to negotiate; because we had an unlucky habit of meaning what we said, and of intending to be bound by it, but yet of expressing ourselves in such a way that those with whom we negotiated thought we meant something else. Besides, if, as was here stated, we had perfect confidence in our own strength, and dreaded nothing from the advance of Russia, but yet thought that the States with which we had relations should not be encroached upon —as Persia, Afghánistán, and Kashgár—would it not have been more dignified to have simply intimated to Russia that we should regard an advance beyond a certain parallel—for instance, the parallel of Samarkand, as an unfriendly act, which would necessitate our adopting such measures as we might deem expedient. He believed that our wishes would have been complied with; for, independently of the friendly feeling which he hoped existed between the two countries, Russia would hardly choose this moment, he imagined, for dissension, when she had Central Asia to settle, and was reorganizing her Army, in which 40 to 60 per cent of the superior officers were Germans, while there was a great deficiency of officers generally—1,300 doctors alone, it was said, being wanting. Negotiations, however, there were; and he regretted that it would be his duty to show that during the whole time they were carried on, the Russians, while affecting to yield to the remonstrances first of Lord Clarendon, and then of Lord Granville, were incessantly advancing, and adding fresh annexations to those which already formed the subject of complaint. For instance, on September the 3rd, 1869, Prince Gortchakow told Lord Clarendon, at Heidelberg, that it was the intention of the Emperor not to retain Samarkand; and on the 26th of February, 1870, General Milhutine, the Russian Minister of War, said to Sir Andrew Buchanan that he still hoped that the occupation of that city would not be permament. But at that very time, according to the Russian Review, General Abramow was sent with an expedition to the Iskándar Kul Lake, which lies 50 miles to the south-east of Samarkand, and to the districts of Faráb, Mágián, and Kishtúd, which, he believed, lay to the east of the Lake, and also to Falgar and Fán, dependencies at one time of Hisár, at another of Ura-tepe, as well as to Mátcha and Yaghnan, which belonged to Karátegín, a chiefdom at a very considerable distance to the south-east of Samarkand. General Abramow deposed the chiefs of those places, united Faráb, Mágián, and Kishtúd to his own government, and told the people of Falgar, Fán, Mátcha, and Yaghnan that they would be free from taxation till the end of 1870, after which they must send to Samarkand 1 rouble and 20 kopecks for each farm, as henceforth they were to consider themselves subjects of Russia, and neither Kokand nor Karátegín would have any claim upon them. In short, instead of Samarkand being relinquished, the country surrounding it had been annexed to Russia, and the city itself had the strongest garrison in Turkestan—four out of the 12 frontier battalions being stationed there, and at its outpost Katta-Kungán. But Bukhárá itself was virtually annexed to Russia, for Abdu 'l Fath Mírza, the youngest son of the Amír, went to St. Petersburg on the 3rd of November, 1869, to do homage to the Emperor, and to petition for the succession. What did that mean? We knew what it meant in the case of Heraclius of Georgia, and of so many other Princes who had submitted to Russia, and we might guess the result as regards the young Prince of Bukhárá. But the next year to that of General Abramow's expedition saw another important annexation, of which little, if any, notice had been taken in this country—that of Zungaria. Cheveng, the ruler of this country in 1700, was the rival of the Emperor of China. He ruled from Lake Balkash, in latitude 47 degrees, over all the territories now held by the Atáligh Ghází, and over Thibet, and, according to General Perovski, over Bukhárá also. He demanded the daughter of the Emperor of China in marriage, and on being refused, maintained an equal war with China for years. It was not till 1721 that the Emperor Kanghi was able to expel him from Thibet, and not before 1759, long after his death, that the Chinese conquered Zungaria. He mentioned these facts to show the importance of this country. The capital—Kulja—was annexed by the Russians in July, 1871, and they thus recovered the sovereignty over the Kalmyk nation, who had migrated to Russia in 1703, and returned to Zungaria in 1771. The Russian frontier was thus extended 200 miles to the south, and made conterminous with that of Kashgár, along its entire length. Last year another advance was made by the Russians still further to the east. They marched from Kiakhta 200 miles to the south, and took possession of Ourga with 2,000 men. This town was in Mongolia, and it was alleged that it was occupied because the Dungans, the Muhammadan rebels of China, would have seized it and impeded the trade. Be that as it might, it was certain that the whole of Mongolia was ready to submit to Russia, and that would carry the Russian frontier to the Great Wall of China. Meantime a caravan with a formidable military escort had traversed the country between Zungaria and Ourga, which seemed to forbode annexation. In the extreme east, in the province of Amurskaya, there was the same activity on the part of the Russians. He was informed that a line of steamers was to run from Nicolaiev to Hankow in the centre of China, but he would rather leave it to others to speak of what was going on in that quarter. But there was one most remarkable circumstance that he must bring to the notice of the House, which he was told had been reported by our Consul at Newchang. He said that he had fallen in with several parties of Russians exploring in Manchúria who gave out that they were digging up landmarks which showed that those regions belonged to Russia in bygone ages. This could only mean that they pretended to have found the landmarks of the Mongols, whose successors they were, and whose original country they possessed, as, for instance, the Great Forest, near the Onon River, in which Chingíz was born, and where Gibbon told us he held his Court and used to settle the tribute of the Grand Princes of Russia, the Kháns of Central Asia, the Kings of Iconium, Persia, and other intermediate countries. He had commenced by saying that Russia was at least as much an Asiatic as she was a European Power, and the long array of facts he had cited showed that in nothing was she more Asiatic than in that insatiable desire of annexing new territory, which was so pre-eminently the characteristic of Asiatic rulers. To her the Central Asian question then was evidently one of aggrandizement, and when he said he found it difficult to predict her course of action he did not mean to express a doubt of her ambition but only of the way in which it would be manifested. He had shown that the progress of Russia since the Crimean War had been enormous, but her present preparations proved that she was now meditating something even greater. In Poland she had made and was making herself strong against Germany and Austria in the almost impregnable quadrilateral of Modlin, Czenstochowa, Ivangorod, and Brczse Litewski, the entire garrison of which in time of war would probably exceed our whole regular Army. There were, it was said, 80,000 men in Modlín alone. She was planning and completing railroads, one from the Don to Petrovsk on the Caspian, three from Central Russian cities to the Volga, which would enable her to throw a large army into Central Asia at any moment. She intended to re-fortify Sevastopol, and was sending circular iron-clads down to Taganrog and Kertch. She had torn up the Treaty of Paris, and was re-organizing her Army on the principle of compulsory service for all classes which would enable her to draw 2,100,000 regular soldiers from the 4,000,000 of men she had at the age for conscription. In seven years—in ten at the farthest—she would have that stupendous Army in the field. The time might then be propitious. Germany and France might then be fighting out their deadly quarrel. Turkey, if the right hon. Gentleman the Chancellor of the Exchequer were a true prophet, would then be bankrupt, and Russia firmly posted at Marv and Hírát would demand of fortune one of her two long-coveted prizes, and would receive for answer, *Utrum mavis accipe.* He must now for one moment look at the question as Central Asiatics themselves regarded it. He was no defender of the slave trade. No man had denounced it in stronger terms than he, and he believed that had his advice, offered ten years ago, been taken, it would have half died out in Central Asia. His despatches showed how the occupation of Marv and Hírát by Persia would affect that trade, and he regretted that the Government should have thought it right to refuse to lay his despatches on the Table. He abhorred slavery, but was bound to acknowledge that it was a Muhammadan institution, sanctioned by the laws and the religion of Islám. What was happening in Zanzíbar sufficiently proved that fact. He was bound, too, to say that the Turkumans and not the Uzbeks were responsible for the murders and other atrocities which marked the slave trade in Central Asia, and the Uzbeks had no power to control the Turkumans. So far from that, the Turkumans murdered one of the Kháns of Khiva in Khiva itself, and the city swam in blood, for 12,000 of them were murdered in return. They sent the head of another Khán to the present Shah of Persia, who, with true magnanimity, buried it and built a mosque over it, though it was the head of an enemy. Even if the Uzbeks had not bought slaves, the Turkumans would have captured men for their own service. The Uzbeks treated their slaves well, allowed them to save up money to purchase their freedom, and granted them some singular privileges. It must be remembered, too, that there had been, and still were, things, which might have induced the Uzbeks to think that those who complained of their keeping slaves were not, after all, much more immaculate than themselves in the matter. It was not so long since Russia emancipated her serfs. Captain Abbott related that the Persian Ambassador to Khiva of his time purchased in Khiva two beautiful women for slaves, who were released by the Khán himself. Our own Native Agent, Rajib Ali, who was sent to Khiva from Tehrán about 1858, purchased a number of girls of good station, who were sold with their families by the Khán's order for some political disturbance. Rajib Ali brought those females to Tehrán and sold them there. The Persians had slaves, the Afgháns had slaves, and even our own Afghán *protégés*, living under the very eye of our Mission at Tehrán, and paid from the Mission Treasury, they, too, had slaves. But he did not seek to acquit Khiva. No doubt before the Russian invasion she was guilty. He only said that the charges brought against her since then were unfair, and would not be endorsed by any native of Central Asia. He held in his hand the Russian Manifesto containing those charges, but it omitted all mention of the aggressive acts committed by Russia against Khiva during a century and a half, and was inconsistent with the statements of the Russian generals themselves. In 1864, when the Amír of Bukhárá proclaimed a holy war against Russia, and invited Khiva to join in it, Khiva refused. This was admitted by General Romanovski, who said—

> "The rumoured participation of Khiva in a war against us was not very credible. That Khanate appreciated too highly the profits of a trade, which had greatly increased; and, moreover, Khiva looked upon Bukhárá with distrust."

So long back as 1854 the same author told us—

> "Our relations with Khiva improved after the establishment of the Sir Daryá line and the Aral flotilla. They became noticeably less hostile."

The Manifesto accused the Khán of Khiva of encouraging the Kirgiz to revolt, and of sending in 1869 and 1870 plundering bands into the Orenburg Steppe; but where was the proof? In the meantime we must remember that the Russians erected a fort on Khivan territory, in Krasnovodsk Bay, in 1869, and from that time to this had been occupying other parts of Khiva and sending military expeditions through the land. Yet the Khán had done his best to obtain peace. He had sent two Embassies—one to Caucasia and one to St. Petersburg — to solicit terms, both of which had been repulsed. If no embassy had yet been sent to General Kauffmann, it was obviously because no mercy was expected in that quarter. But whatever the shortcomings of Khiva might have been, we, at least, had no cause for complaint. We commenced diplomatic intercourse with Khiva by sending a Native Envoy from Hírát in 1839. He was graciously received, and a return mission was sent. Captain Abbott was next deputed to Khiva to obtain the release of Russian prisoners, and was most hospitably received and entertained by the Khán, who, to oblige him, and out of compliment to the Queen, released a number of Hírátí ladies and a Persian servant of the Tehrán Mission. He also wrote to the Amír of Bukhárá, interceding for Conolly and Stodhart, and in spite of the disastrous failure of Perovski's expedition against him, set free and sent to Russia, under the charge of Sir Richmond Shakespeare, all the Russian prisoners he had, 416 in number. Abbott styled him the just, kind and honorable Khán Hazrat, and said that he loved and respected his character. Sir Richmond Shakespeare, too, spoke well of him, and he thought it much to be regretted that General Perovski should have represented his character so differently, and should have accused the British officers of coming there "for the purpose of making a survey of the Caspian and of the Russian fortresses," and of wishing to take credit for the release of the Russian prisoners, "which was really due to the Russian cornet Aitoff." But some years after, Mr. Thomson was sent from Tehrán to Khiva, and was well received, as was our unworthy agent, Rajib Ali, and the present Khán had sent Envoys to Calcutta, so that from first to last our relations with Khiva have been most friendly, and so would it have been with Russia had her intentions been equally above suspicion. But the fact was that the Chiefs of Central Asia looked upon Russia as an Asiatic Power like themselves, and they knew that her policy, like their own, was one of encroachment and annexation. This idea impelled them to a double course of action which was not so inconsistent as it would appear at first sight. On the one hand, they regarded Russia with dread, and stubbornly opposed her advance. On the other hand, they thought her success fated, and sullenly acquiesced in her triumph, because they thought she was one of themselves. This was not theory, but fact, as he had heard again and again from the lips of Central Asiatics themselves, and it accounted for the voluntary submission of so many wild tribes to Russia. He came now to consider our own view of the question, and certainly not one had varied so much in the course of years. At a time when Russia was separated from India by the vast and apparently impassable desert of Central Asia, we "went to meet that which we would most avoid," we crossed the Indus and advanced to Kábul and Hírát to set up by war a barrier against war. There were fatal errors in that movement. We chose a cruel and licentious tyrant, of whose evil deeds he knew some which had never been chronicled, to be the ruler of Kábul, in place of the ablest and best Afghán chief of whom there was any record, and we made arrangements at Kábul, and, indeed, at every station we occupied, except Kandahár, so extravagantly bad as must have ruined any cause. We did other things which stirred up the fury of the Afgháns against us. He might tell the House that, being in charge of a district at the foot of the Bolán, at that period many Afgháns came to see him as they passed through and told him of these things, and said if the Russians came they would have vengeance for them; and yet like things had been done since in Persia. It was doubtful, too, whether anything could have justified our sending an army so far from its base of operations with the independent countries of Sindh and the Panjab intervening between it and the British India of that day. He believed Lord Hardinge told an officer of high rank that in his judgment our Empire in India trembled in the balance during the Sikh War. He asked, could anyone now think without dismay of what would have happened if the splendid Army of the Sikhs had risen against us when so large a part of our forces was cooped up in Afghánistán? Yet, in spite of all this, he must say our danger was chiefly of our own making, and he believed that had we been prudent we might have carried out our enterprise, rash as it was, without disaster. He said now as he had said then, that had we placed Shah Shuja on the throne and then retired upon Kandahár and Hírát we should have remained masters of the situation. The Afgháns could never have dislodged us from those places, and Shah Shuja, unsurrounded by the hated Firingis, would have made a better fight in his own savage ruthless way than with our aid; and had he fallen, Dost Muhammad, after the severe lesson we had taught him, would have been only too glad to accept our terms. Even as it was, our expedition, though rash in its conception, miserably mismanaged in execution, and fraught with disastrous consequences, was not altogether without results to be carried to the credit side of the account. It taught our Indian Army, then in a lethargic state, something of war on a grand scale, made us acquainted with our present north-west frontier and with the countries beyond, and dispelled for ever the bugbear of an Afghán invasion. But whatever our mistakes might have been at the time of the Afghán War, he believed that we were now falling into errors equally pernicious. At least, we had then a policy, now we had, so far as he knew, none at all. Perhaps, indeed, he should be told that drifting, waiting on Providence, with our hands in our pockets, and a "rest and be thankful" look was a policy. But, at all events, he hoped no one would say that the negotiations recorded in those pages with their lengthened sweetness long drawn out, their babbling of neutral zones and imaginary spheres of influence, represented a policy. We had heard of neutral zones before, and we knew what came of them. By the Treaty of the 18th of September, 1739, the territory round Azov was then evacuated and turned into a neutral zone between Turkey and Russia, and Kabardia was to be another zone, but in the next war the neutral zone was, from its dismantled state, the first place taken, and was forthwith incorporated with Russia. Besides, it was not every country that could be made a neutral zone, and to talk of Afghánistán as a neutral zone seemed like asking an Irishman to sit quietly between two combatants. It was true, however, that Lord Clarendon spoke, not of a neutral zone in his first letter, but of "some territory as neutral between the possessions of England and Russia, which should be the limit of those possessions, and be scrupulously respected by both Powers," and the suggestion that Afghánistán should be the zone seemed to come from Prince Gortchakow rather than from him, the Prince giving a positive assurance that the Emperor looked upon that country "as completely outside the sphere within which Russia may be called upon to exercise her influence." This view was confirmed at page 4, where it was distinctly stated that the "proposal was made by Prince Gortchakow." But the fact that Lord Clarendon was "not sufficiently informed," "at once to express an opinion as to whether Afghánistán would fulfil the conditions and circumstances of a neutral territory between the two Powers," was quite sufficient evidence to prove how incompetent the Foreign Office was to deal with these questions which affect India directly, and this country only on account of India. He passed over the *sang froid* of the Russian Prince in assuming that all the territory between the Russian outposts and the frontier of Afghánistán was, as a matter of course, to go to Russia, as, for instance, Karátegin, Hisár, and other districts where no Russian had yet shown his face, while we were to be absolutely restricted to what we already possessed; but did not Lord Clarendon remember that we had relations with Afghánistán quite inconsistent with making it a neutral territory; that, for instance, we had just been sending up rifled guns and money to Shir Ali to enable him to triumph over his rivals, that the Treaty of Paris might at any time compel us in the interests of Persia, if not our own, to interfere with Afghánistán, that we were constantly obliged to march men into the mountains bordering on Peshâwar, and that to declare that region neutral would be to hand over our troops to slaughter and our officers to assassination. Luckily the Council of India and Lord Mayo knew more about the matter, and it was owing to their determined opposition that we were not caught in this snare. So at page 4 they would find Lord Clarendon, on the 17th of April, hurriedly retreating from the suggested neutrality of Afghánistán, and proposing that the Upper Oxus should be the boundary line which neither Power should permit their forces to cross; but Prince Gortchakow immediately conjured up the phantom of Bukhárá, that could not raise a finger to save her own lifeless body, to combat this proposition. The end was that the neutral zone seemed, as far as England was concerned, to vanish into thin air, and that, seen through the mirage of Russian misrepresentation, it was still Afghánistán. He was really afraid to touch the Papers at all for fear of brushing away some diplomatic cobweb or other. But he would go back for a moment to the discussion about the relinquishment of Samarkand—that Samarkand which gave Russia the virtual possession of Bukhárá, because Bukhárá depended on it for its supply of water. He had already shown the utterly illusory character of the pledge of relinquishment as proved by the annexation and taxation of districts still farther to the south, but he could not help adding that it was diametrically opposed to the language held by the Russian governors and generals in Central Asia. As soon as we got clear of the honeyed talk of diplomacy and emerged into the region of common sense, we soon found out what the Russians really meant. "No instance," said Vambéry, "has yet been known of the Russians ever retracing their steps in any part of Asia." In strict accordance with that statement was the language of Count Perovski's proclamation on entering Central Asia. "The Russians have come here not for a day, nor yet for a year, but for ever!" That was intelligible enough; it was downright plain speaking. Again, Romanovski says—"But the experience of the last years had convinced us that, after occupying any point in Central Asia, it was impossible for us to abandon it." The fact was we had no right to ask Russia to give up Samarkand, no more than Russia had to ask us to give up Peshâwar, and she had no more idea of complying than we should have, or rather infinitely less. Let them, then, put away for ever the idle notion that Russia meant to go back, and the no less delusive one that she would become weaker as she advanced. Those notions would delude only the ignorant. In a year or two Central Asia would be Russia—as much Russia as the Crimea or Astrakhan—more so, perhaps, for the exceeding richness of the soil along the Jaxartes, and in the Oasis of Khiva, would bring in a flood of Russian colonists from the starved surplus population of the far north. If anyone would look at page 118 of General Romanovski's pamphlet, he would see that there were 440,036 Cossacks of both sexes in the Ural, Orenburg, and Siberia, and 239,446 in Orenburg alone. These were the Russian pioneers, and could all be pushed to the front. There were already Russian schools, clubs, churches, and newspapers in the cities of the Uzbeks, and brigades of Cossacks had preceded them. The steam power that Russia had in the Caspian and the Volga was more than five times what she had on the Baltic. She had on the Caspian 423 steamers with 33,725 horse-power, and if the Oxus should really be turned into its old course it would be but a fortnight's voyage from Nijni to Khojend. For Central Asia, then, they might read Russia in future. There were one or two other things in these Papers to which he must refer. The first was the contradictory way in which the conduct of the Russian generals was spoken of to suit the occasion. Lord Clarendon was told to be under no apprehension that Russian generals would communicate with Indian malcontents, because "Russian generals are well disciplined;" but at page 9 Prince Gortchakow himself admitted to Lord Clarendon that "the military commanders had all exceeded their instructions in the hope of gaining distinction, and consequently one after the other had been recalled," and in the serious and to us critical matter of the integrity of the Atáligh Ghází's dominions, there was a strange admission "that two Russian officers, with a few followers, did penetrate, not long ago, into Kashgár territory, but contrary to orders"—as if any Russian officer would go without permission from his general—"and so as to draw upon the officers concerned the displeasure of the Russian Government." Now, considering that Captain Valilkanoff, the aide-de-camp of the Governor General of Siberia, had in 1858 been to Kashgár, had spent 11 months and 15 days in the journey and residence there, and had made an elaborate Report which he (Mr. Eastwick) had himself read, it was not easy to understand why a fresh expedition should have so recently gone into Kashgár territory, more particularly as it appeared from Mr. Shaw's letter, at page 17 of the Papers, that the Atáligh Ghází was painfully jealous about the Russian encroachments, and spoke very bitterly regarding them. But in reality this pretended disobedience of Russian officers had become too transparent a device. If Russian generals were to deal with their instructions on the frontiers of Persia and Afghánistán as they had dealt with them in Bukhárá, the sooner we increased our Estimates the better. For his part, he could not understand an English Minister enduring to be told that the friendship of this country was so slight a matter that the generals of Russia one after another would risk a rupture with it in order to obtain a cross or a riband. Had we fallen so low that our peaceful relations were made to depend on General Kauffmann's being satisfied with the number of orders he had obtained? The second point was the gathering of Afghán malcontents of the highest rank and influence in Bukhárá, on the frontier of Afghánistán. A parade was made of the Russian Minister at Tehrán being instructed to refuse protection to an Afghán there, of whom we were told next to nothing. But of what consequence was that to us compared with taking into the Russian service a whole corps of Afgháns, commanded by the son of the late ruler of Hírát, who killed Sir William Macnaghten; or of what moment was it when placed beside the residence on the frontier, under Russian protection, of the Sardár Abdarrahmán Khán, the grandson of Dost Muhammed, and the vanquisher and dethroner of Shir Ali? It was true that he had married the daughter of the Amír of Bukhárá, and that that was some excuse for his residing in the territory of his father-in-law, but it was with the aid of that father-in-law and with his troops that he invaded Afghánistán in July, 1865, gathered adherents, and entered Kábul on the 2nd of March, 1866, and defeated Shir Ali in the bloody and for the time decisive battle of Sháhábád. With the consent of Russia, what he then did might be repeated, and at page 40 he found the Sardár actually proposing this to General Kauffmann. It depended, then, on the will of the Russian general whether Afghánistán should or should not be enveloped in the flames of war, and to his mind it was clear that, as these Afghán Sardárs must be interned somewhere, it would better be in our territory, where we had the power to keep them in check without placing ourselves under an obligation to Russia—an obligation probably discussed in every bazár from Samarkand to Delhi. The last thing he would mention was the now palpable absurdity of making the whole negotiations hinge on our restraining Kábul, and Russia keeping back Bukhárá—poor, helpless Bukhárá—while all the time the real danger lay at the south-eastern corner of the Caspian and along the frontier of Khurásán, a well-watered and well-inhabited country, where we had absolutely no means of knowing what went on. In his speech of the 9th of July, 1869, he pointed out that if we had cause for apprehension it was not at Kábul, but at Astarábád, Marv, and Hírát. He said that a Russian expeditionary force might with ease and almost without the knowledge of the Persian Goverment, be landed at Astarábád and marched along the Perso-Turkuman frontier all the way to Hírát. He had just received a letter from Khurásán which said that that was being done now. He believed that to be exaggeration, but it showed what was expected, and he thought it would not be denied that Russian troops had entered the Persian district of Gurgán in pursuit of some Turkumans, and that they had received the submission of some of the Turkuman tribes who owed allegiance to Persia. No man with any pretensions to a knowledge of strategy could overlook the danger to India that this concentration of force at Ashurádah and Chikishlar implied. It was idle to call it a movement against Khiva which could be reached from the Aral, from Bukhárá, and from Mangishlak by much shorter routes. It would be ludicrous, if it did not involve such serious issues, to see our Foreign Minister struggling to keep Afghánistán safe—that Afghánistán that knew so well how to protect itself. By warning back the Russians from crossing the fearful Valley of the Upper Oxus, in which Wood told us whole caravans were buried in a single avalanche—from crossing it, he said, in order to get into that hornet's nest of the Afgháns by scrambling up the stupendous slope of the Hindú Kush, where an English sailor, Wood himself, could only crawl on his hand and knees, and with the help of the nimble mountaineers, who, with much greater ease than they dragged him up, could have pitched him like a stone into the abyss beneath, while all the time the Caspian Gates, the front door of India, stood wide open, the Russians clustering on the Steppes, and not a detective in sight. He was not alarmed at the Russian advance, though he quite appreciated its importance. It meant, of course, the downfall of the Turk and of the Turkish religion, which, buoyed up in one quarter, now sank at the fountain-head. It meant danger to India if we were resolved to throw away our vantage and to let persons who had no practical knowledge of the subject, and who delighted in official darkness, guide our counsels. It meant peace and good will and a neighbourly rivalry in commerce with Russia, if we acted with the strength we really possessed, threw overboard all secret diplomacy, came out manfully, and insisted on everything between Russia and ourselves being done in the light of day. If, for instance, we were to have negotiations, let them be before a Congress of the Great Powers; but, above all things, let us not live in a fool's paradise and despise the resources of others while we magnified our own. The immense population of India was not so great a security to us as the waterless deserts and scantily-inhabited plains of Central Asia were to Russia. On the contrary, a teeming and discontented population was a serious danger. Our real strength lay in our fair Government, our English Army, and our wealth; for in the East the sword was his who would pay. It was a real strength and a sufficient one, but then we must not throw away our friends, and must spend our money wisely. We must not neglect the commonest precautions, dig impracticable tunnels at Atak, while it took a week to ferry over a cavalry regiment because there were but few boats, and these altogether unsuited for the purpose. Peshâwar should be strong, and civilians said it was; but the best general we ever had there, Sir Sydney Cotton, said it was weak, and if we wished it to be strong we had much to do. We must begin by making Peshâwar a military government, giving the general the power to deal with offenders. Some thought we should have a suspension bridge across the Indus; but, at all events, we should have some means of crossing it all seasons, and railways to Atak from Lahore and Karáchí, an earthwork at Peshâwar, and our European regiments in healthy cantonments, such as Campbell-pur, with the means of placing them, if requisite, instantaneously at Peshâwar, and we should clear, once for all, the Hills of the robbers, and sweep away the Akhund of Swât, and his followers, the Hindustani rebels and the fanatical assassins. There were other things he might mention, such as the occupation of Quettah, and the maintenance of an Envoy at Hírát. Quettah was in Kelat, and Kelat was to all intents and purposes India, and the sooner we declared it to be so the better. If our generals said it was wise in a military point of view, then there should be a garrison at Quettah, there should be no weak truckling to the Afgháns in a matter of our Treaty rights with which they had no concern, and a garrison we should have there. He had seen a letter from a great Afghán chief which made him think there would be no objection, but the reverse, to our occupying Quettah; and, as for the Bilúchis, it ought to be known that during the Indian Mutiny Sir Henry Green put himself at the head of 12,000 of them, marched to Káhan without any British troops, and recovered the three guns we had lost at Nafushk. Such were the officers we had had and might have on the frontier, and they were the proper persons to advise whether Quettah should be occupied or not, and to them he left the question. But that was a smaller matter than our alliances with Persia and Kashgár, particularly Persia. Kashgár was, he hoped, provided for by the mission of Mr. Forsyth and the personal character of the Atáligh Ghází. As to Persia, he could say much; but there was no time for it now. One thing, however, he would say, and it was that our interests there had been sacrificed for the last 10 years. Why, for instance, when His Majesty the Shah directed him (Mr. Eastwick) to apply to his Government for British officers to instruct his troops, was that request disregarded? Why was the despatch asking for those officers withheld? He asked that his despatch on the subject might be laid on the Table. He was sorry to hear the noble Lord the Under Secretary for Foreign Affairs in the debate last year pass an eulogium which was not deserved. He had too much respect for the noble Lord to doubt the sincerity with which he spoke, but he dared say they would hear contrary opinions expressed, if not there, then in "another place." But he trusted he should have some other opportunity of dealing with that matter as regarded Persia, and he would now content himself with expressing a hope that in future if we made friends of our enemies, as we had done in the case of Sultán Ján, of Shir Ali, and the Afgháns generally, we should at least not make enemies of our friends, as we did with the Sardár Abdu'r-rahmán Khán, and with Persia in too many instances. Lastly, we should have as little secret diplomacy as possible, and he trusted that in this respect the Government would at once make a change by granting the Papers for which he now asked. The hon. Gentleman concluded by moving for the Address.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, That She will be graciously pleased to give directions, that there be laid before this House Copies of Correspondence relating to the Missions to Khiva of Mr. Thomson and Rajib Ali:

"And, of any Despatches in 1862 and 1863 respecting the employment of British Officers with the troops of His Majesty the Shah, and respecting the state of Khurásán at that time." (*Mr. Eastwick.*)

SIR CHARLES WINGFIELD said, he recalled the remark of the right hon. Baronet the Member for Devon (Sir Stafford Northcote) when this question was brought before the House in 1869 that of all things the most to be deprecated was a policy of mystery. Yet he found that Lord Granville in a despatch to Prince Gortchakoff urged upon him the necessity of coming to a decision at an early date, in order that the question might not be complicated by possible discussions in the British Parliament. He regretted that a Member of the Government which he supported should show such a dread of discussion in regard to a subject which vitally affected the interests of this country. He could not see any reason for the extreme alarm and excitement which took possession of the public mind last autumn on the subject of the Russian advance in Central Asia. The general conclusion arrived at in 1869, when his hon. Friend (Mr. Eastwick) brought forward this question, was that there was no ground for uneasiness. The position had not materially changed since that time, and high authorities had long ago regarded the Russian advance to the Oxus as inevitable. He had no doubt that the Russian Government were perfectly sincere in their desire for no further extension of territory, as sincere as our East Indian Company were when they even censured their Governors for extending it. Khiva was 500 miles west of Samarcand, and consequently so much further from India; and he did not see that the occupation of Khiva would give Russia any advantage against Persia which she did not now fully possess in the island of Ashourada in the south-eastern angle of the Caspian. There was great force in the Russian argument that any further enlargement of their territories depended less on themselves than on the conduct of the native tribes. He did not believe that Russia could avoid advancing her boundaries in Central Asia. Like ourselves in India, she must take more in order to keep what she had got. Did anybody suppose that if we had gone on the principle of confining ourselves to

Bengal we should now be in India at all? He protested against the notion that the people of Central Asia should be denied the benefits of good government because we might think it our interest to have barbarous tribes rather than a civilized nation for our neighbour. History presented no example of governments more fanatical and cruel, or of people more debased and oppressed than were to be found in these Khánates, which showed, as Vambéry said, to what a state of degradation tyranny allied with fanaticism might reduce a people. In the interests of humanity he wished to see the absorption by Russia of these countries, although the result might be to make Russia a great Power in Central Asia. He believed that Russian rule would be as great a benefit to these countries as English rule had been to India. Prince Gortchakoff had said no one would now wish to see British rule withdrawn from India; and the right hon. Gentleman at the head of the English Government had said that he saw nothing to complain of in the action of Russia against Khiva. Let us be as fair towards Russia as she seemed disposed to be towards us. We had never given up an inch of territory once acquired in India. Why, then, should we be always nagging Russia for doing the same in Central Asia? Turning to the Correspondence, he thought it clear that Prince Gortchakoff acceded to our view on the implied condition that we should be held responsible for the good conduct of the Afghans. But we could not be really responsible for the conduct of a weak ruler and a turbulent people unless we assumed the control and direction of their affairs, and to do this we must place British officers in power at Cabul, and support their authority by a military force. The result of the policy foreshadowed in these Papers would probably be such that within a few years he fully expected to see British political officers in Afghanistan. Now, our true policy was to avoid all entangling alliances with that country. Whatever European Power first entered Afghanistan would make the Afghans their enemy. Our re-appearance in that country would revive the memories of our former occupation in the minds of the people. Whatever dependence might be placed on the ruler of that country, no reliance could be placed on his subjects — a national party would be formed who would rouse the fanatical feelings of the people against the English, and the English alliance would be as much a source of weakness to the existing ruler as it had been to a former ruler. For the last 70 years there had never been a strong Government there. Family dissensions had always prevented it, and the succession was sure to be disputed on the death of the present Ameer. We were placed on the horns of a dilemma. We must either assume a protectorate over Afghanistan and occupy it by British troops—which would involve great cost and arduous responsibilities — or we must leave her to herself, contenting ourselves with giving good advice, which would probably be unheeded. And then what would become of the new boundary arrangement? Instead of keeping Russia at a distance we had drawn ourselves nearer to her. Formerly, if Russia wished to molest us, she would have had to move a thousand miles from her base to find us, whilst now we should have to move from our base and seek her on the Oxus. If it was in the power of Russia to exercise a disturbing influence on our Indian interests the danger was aggravated by our present policy. The very talk of limiting the advance of Russia caused a sense of uneasiness amongst the natives of India. He was of opinion that 30 or 40 or 50 years must elapse before Russia could so extend her conquests in these parts as to make them the base of operations against India. He believed that Russia, with an exclusively Mahomedan population of a fanatical hue, would be far more vulnerable than ourselves, and that the mass of the population of India, both high and low, had no wish to change the rule of England for that of Russia. The tone of the Indian Press was that although many shortcomings were to be imputed to England, her rule had been very beneficial to India, and that in the event of a contest between Russia and England for dominion in India, the people of India would heartily support England. One thing the Indians viewed with great satisfaction, and that was the perfect freedom of meeting, writing, and discussion allowed them, a privilege which they did not expect to enjoy under the rule of any foreign Power but that of England. No doubt war would be popular in India, whether among members of the military or the civil service, because it would open a fresh field for distinction. This was perfectly natural; but it showed that the country should not implicitly rely upon Anglo-Indian opinions. A Russian diplomatist had recently startled the world by the statement that commercial Treaties with Asiatic nations were merely political instruments. If our officers were as candid they would probably say the same. He did not believe the trade with these poor, thinly-peopled, mountainous countries beyond our territories could be of the least importance to India with her immense seaward and still greater internal trade. In his opinion, the proper course for this country to adopt was to persevere in a policy of inaction with regard to the advance of Russia in Central Asia. He would not have been a party to setting up a neutral zone between Russian territory and our own. Years must elapse before Russia could come into collision with our Indian interests. Should she ever show an intention of advancing into countries within the sphere of those interests, it would then be time enough to warn her that we could not permit those interests to be endangered, but we remained judges of the circumstances that constituted that danger. We should thus have maintained complete liberty of action, and should be free to select the time and place for resisting the further progress of Russia, and have avoided placing ourselves in the awkward predicament of being forced into a war at an unfavourable juncture merely to preserve our dignity. Neither did he see any reason why we should endeavour to set up an English influence in Persia as opposed to Russian influence, although, of course, we should cultivate friendly relations with that country. As far as regarded India itself, doubtless, as education and intelligence progressed in that country, the aspiration of the natives would be not for a change of dominion, but for self-government, and to that aspiration we should yield as occasion demanded, especially as regarded local taxation. Should we adopt such a course we might rest confident that we should retain our hold on the affections of the people of India, and then secure in the stability of our rule and in our power to repel aggression from whatever quarter it might come, we might with perfect safety wish Russia good speed in her mission of civilization in Central Asia.

MR. GRANT DUFF: My hon. Friend the Member for Penryn (Mr. Eastwick) has addressed us at some length, and in a speech which, like most of his speeches on Eastern subjects, is at once interesting and instructive. In following him I will try to point out, as briefly as I can, how far his views agree with and how far they differ from those of Her Majesty's Government. It seems to me that the simplest order in which I can arrange remarks which will necessarily apply to the whole of the countries lying immediately west and north-west of India is the geographical one, and I will accordingly begin on the south with the State of Khelat. Our relations with the Khan of Khelat are defined by a Treaty which has lately been laid before the House on the Motion of my hon. Friend. For the most part the stipulations of that Treaty have been fairly observed by the Khelat State, and although the Khan has given some trouble of late, he met the Viceroy on his recent tour and made the *amende honorable*, so that we are now quite good friends again. My hon. Friend wants us to advance to Quetta, a place in the dominions of the Khan of Khelat. There is no doubt that we have a Treaty-right to station British troops in Khelat if we choose so to do, but why should we do it without manifest necessity? Why put it in the power of the disaffected to say—"There, you see, in spite of all the talk about non-annexation, the British are at their old game, pressing forward indefinitely. They have passed the Indus; they have passed the Hala Range; where will they stop—why should not they go on to Tehran, or for that matter right up to the Turkish frontier?" I do not agree with my hon. Friend in advocating an advance to Quetta in time of peace, and for these reasons—because such an advance could not, as things are at present, be otherwise than extremely disagreeable to the Khan of Khelat, and I suspect to the Afghans also, because further it would be very unpopular with the Army—not just at first, when there was a certain excitement prevailing consequent upon an onward move, but as soon as that excitement had subsided—

yet further, because it would be very expensive, and although not so poor as our ill-wishers suppose, we have not money to play ducks and drakes with. Lastly, because, if at any time and for any purpose it were desirable to go to Quetta, to Quetta we could go with the greatest possible ease. General Jacob found no difficulty in sending troops to Khelat even in the middle of the Mutiny. I come now to Seistan. With regard to Seistan the state of the case is this. At the time of our last discussion about these matters, a dispute was raging with respect to that territory between the Persians and Afghans; and, as I then mentioned, Her Majesty's present Government had not given any positive or final opinion as to the respective rights of either party. Since that time—July 9th, 1869—British officers have, at the desire of both parties, traversed the disputed districts, and laid down a boundary which they considered to be that which best meets the rights of the rival Governments, as those rights were modified by the events which took place between the Treaty of Paris, which was signed in 1857, and the commencement of the demarcation. Neither the Persian nor the Afghan Government was satisfied with the boundary that was assigned, and both appealed to the Secretary of State for Foreign Affairs, whose judgment it had been agreed was to be final, and that judgment has just been given in favour of the line laid down by Sir Frederick Goldsmid. My hon. Friend has spoken of the close connection which once existed between England and Persia; but what was the history of that close connection? It had its origin in our fears of Napoleon I., and strange to say also in our fears of an Afghan invasion of India. I say those fears were strange, but our connection with Persia had its origin at a time when living men still remembered that mighty wave of Afghan conquest which overwhelmed the Mahrattas on the field of Paniput on that ever-memorable day when — as has been well said — Polytheism and Monotheism, as such, met in conflict for the last time, perhaps, in human history. That very close connection between the Governments was not particularly satisfactory to either party, and no one knows better than my hon. Friend by what unpleasant incidents it was diversified. Some people consider that the turning point in the relations of England and Persia was the Treaty of Turkomantchai in 1828, and although exception might be taken to that statement it may be admitted that the opinion that we had feared too much from some other quarters, and built too many hopes on Persia, kept gradually getting stronger during the half generation which preceded 1830. Persia, in the meantime, which had built upon us hopes far wilder than any we had ever built upon her, became more and more dissatisfied, and her dissatisfaction was manifested from 1830 onwards in a long series of events, of which the most important were the attack on Herat, made famous by the name of Eldred Pottinger, and the war of 1856. It is unnecessary to go into a narrative of these events. The time has come when they with the recriminations connected with them, should be forgotten, and Persia made to understand that while we have long ceased to dream of her being an outwork of India, or a bulwark of India, we nevertheless, alike for our own sake, and for hers, desire to see her peaceful and prosperous, independent and rich. An enlightened self-love, to say nothing of other motives, would be quite sufficient to make us desire this happy lot as well for Persia as for all our other neighbours. The necessities of our position as a civilized people, ruling over half-civilized people, oblige us to make so many changes in India, that it is highly desirable for us to be as little distracted as possible by violent changes round our frontiers; and the old words—"Shake not Kamarina, for she is better not shaken," is highly appropriate to our Indian foreign policy, although highly inappropriate to our Indian home policy. It has been said that the Shah should be encouraged to take Merv. Why should he be encouraged to take Merv, to add an oasis and some more thousand square miles of desert to a country of which some one said that it consisted of only two parts, the desert with salt, and the desert without salt? Would it really be to his happiness to add to a territory which is already 20 times as big as Ireland, and which even before the last famine, had only a population of about seven to the square mile? With regard to Herat, I do not see that its possession would really benefit Persia. But if it did, Herat is not ours to give. It belongs to the Afghans, who are our allies just as much as the Persians. It is quite beside the mark to assert that we at one time over-rated the importance to English interests of Herat staying in the hands in which it was. Very possibly we did; but it is one thing to say that we might have done wisely 40 years ago not to trouble ourselves so much about Herat, and quite another thing to say that to change our minds about it now, and to say that it ought to belong to Persia, would be a wise measure, even if it were a just one. We are, no doubt, so strong in India that we might afford to disregard the imputation which would be sure to be made—that namely, we had changed our policy about Herat under pressure. But putting aside, as I have said, for a moment, the justice of the case, it would be quite undesirable to give an altogether unnecessary shock to public opinion in Asia. My hon. Friend has spoken frankly and I will speak frankly. My. hon. Friend has some influence in the Councils of Tehran. Let, then, my hon. Friend do all he can to turn away the minds of all persons there from any idea of aggression; be it on Turkey, be it on the small independent potentates of the Gulf, be it on Russia, be it even on the Turkoman barbarians, if these last leave the Persian frontiers alone, which by the way, they will hardly do, unless some better force is organized for their protection. If my hon. Friend will do this and make himself at the same time the advocate of material progress and European ideas of Government, he will do a far greater service to his friends than by stamping the complaints of some of them with his authority. It is with great satisfaction that I observe the rise of a new generation of Indian officials who take as strong an interest in Persia as did the officers whom we sent in former days to train the armies of the Shah. The knowledge of that country which is now possessed by Sir Frederick Goldsmid, Major Bateman-Champain, Major St. John, Major Murdoch Smith, and others who have been connected with our Persian telegraph line is most honourable to them, and cannot fail to be in many ways useful to their Government. The state of things in Persia is certainly in many ways regrettable, but there can be no doubt that the eyes of the highest personages at Tehran have been recently opened to the fact that the great misfortune of Persia is the interposition between it and the civilization of Europe of large provinces belonging to Russia and Turkey, which are very indifferent conductors of civilization. But English capitalists are planning enterprises in the dominions of the Shah which will assuredly, whether they succeed or not, pour a golden flood into those dominions, and the expected visit of the King of Kings to Europe this summer, attended by a large number of distinguished persons, can hardly fail to make an epoch in the history of his country. I trust our illustrious guest, who may be expected, I understand, to arrive early in June, may be so favoured by weather and all other circumstances as not to regret having come so far. He will assuredly meet with a warm reception at the hands of the English people. Passing then from Persia, I come to her great neighbour, the mighty power which, crushed for a time by the Tartar hordes, is now rolling slowly over Tartary. There are some persons who believe that sooner or later this mighty power will become dangerous to England, and will try conclusions with us on the banks of the Indus. Well, there are no doubt dreamers in Russia who dream of the invasion of India. But Russia is not the only country where there are people who do not know the difference between dreaming and thinking. I will make a further admission. I will admit that there are politicians in Russia who think that it would be a good thing if they could come sufficiently near India, to be able—so to speak—by moving a knight under the shadow of the Hindoo Koosh, to give us check on the Bosporus. I will admit that, I say, fully; but that is not the real cause of the Russian advance towards our border. Russia is impelled and dragged forward towards our border partly voluntarily, partly involuntarily. She is dragged forward involuntarily by her own officers, who suffer under a disease which we may call the St. Ann mania, and which is as nearly allied to that K.C.B. mania which we know so well in India as scarlatina is to scarlet fever. She is impelled forward by perfectly sober, though mistaken calculation. Russia is still a slave to the same commercial delusions which held captive our own policy before 1846. She still disbelieves in what Mr. Cobden so well called the international law of the Almighty. She still fancies that she can be commercially sufficient to herself. She is still ill-informed enough to cherish the notion that it is of paramount importance to her to bring within her mercantile system the populations of Central Asia, to draw from them the cotton, the wool, and the silk, which she will work up in her mills, sending back to them the finished produce of her industry. She has already got into her power one of the two great roads running east and west through Central Asia, the road of the Jaxartes, and she wants perfectly naturally to get the other—the road of the Oxus—with all that lies between them. That is what she is chiefly aiming at. She makes no concealment about it, as anyone who happens to have access to her newspapers may easily see for himself. For whatever purpose, however, Russia may desire to advance in Central Asia, advance she does, and it is extremely important that when we discuss the position of the Russians with reference to India we should have tolerably clear notions of what that position actually is. That position remains pretty much what it was when we last discussed this matter on the 9th July, 1869. Their nearest points of advance towards India are Samarcand and its neighbourhood on one side, and a small fort on the Naryn, that is the Upper Jaxartes, on the other. Now to make the character of this position clear to hon. Members, I must repeat a few words which I used in this House on the 9th July, 1869.

"Persons who look at the map of Central Asia and know that the Russians are at Samarcand, and that they have also an outpost only 167 miles from Kashgar, high up on the Naryn, very naturally conclude that these two extreme points of their advance towards Afghanistan and Cashmere are connected with each other. But this is as far as possible from being the case. The whole independent part of the Khanate of Khokan lies between these points of advance, and in addition there is a huge mountain knot of hardly peopled country. Roughly stated, the position is this—Suppose some Power advancing from the North towards Italy. Let it have one body of men, say 2,000 strong at Clermont, in the heart of Auvergne. Let it have another body of men, say 1,000 strong, at Zurich, in Switzerland, and let the military connection of this body of 1,000 men be kept up with Clermont only by a route leading round through Southern Germany to a point to the north of the Lake of Constance, say Augsburg, and so southward to Zurich, by the east end of the Lake of Constance. That is about the state of affairs if, instead of Clermont, Zurich, and Augsburg, you read Samarcand, the outpost of Kurtka, and Fort Vernoe, the most southern point in which the Russians are in anything like strength in the direction of Cashmere, from which it is separated by many hundreds of miles, and by some of the most difficult country on the face of the earth. And there is this difference between the European and Asiatic regions which I am comparing—in France, Germany, and Switzerland there are good roads; in Central Asia there are none. In all the huge province to which they have lately given the name of Turkestan, and of which one centre is at Samarcand and the other at Fort Vernoe, the Russians may have on a liberal computation some 25,000 men, for the most part scattered in lonely posts engaged in keeping up communications. Transfer the scene again to Europe. Would the existence of such a force between Clermont and Augsburg, with its reservoir of strength 1,800 miles to the north-west of Clermont—that is, far in the Atlantic behind the British Isles—be sufficient to frighten the holders of the Venetian Quadrilateral out of their propriety?"—[3 *Hansard*, cxcvii. 1570.]

Such being the nature of the Russian position in the summer of 1869 with reference to India, let us see how far it has been modified since. The most important events that have occurred with regard to Russian progress since our last discussion in this House upon Central Asian affairs have been these. In the spring of 1870 the Russian made an expedition towards the sources of the Zarafshan, the river which descending from the high mountains which separate Western from Eastern Turkestan, or, in other words, exterior from interior Central Asia, looks in the earlier part of its course as if it were going to play as important a part in the water communication of those regions as the Oxus or the Jaxartes, but is drunk up by the thirsty land through which it passes and never reaches any lake or sea. They made some small conquests on the Upper Zarafshan, absorbing several lordships, the names of which few have heard, and still fewer would care to remember. In the summer of 1870 they sent an Embassy to Bokhara, under Colonel Nossovitch, an account of which has been published, worth reading, as showing—first, what an odious place Bokhara is; and secondly, for the purpose of comparison with the narrative which was published some years ago by Mr. Markham, of Clavijo's Embassy to the Court of Tamerlane, at Samarcand, illustrating as it does how much more odious these countries are in the end of the 19th than they were even in the beginning of the 15th century. In the autumn of 1870 the Russians subdued a semi-independent province of Bokhara, and gave it back to the Ameer of Bokhara. And they also annexed about the same time to their own dominions two other small lordships. All these events happened in the Western part of the Turkestan region; or, again recurring to my European comparison, in the Clermont, Lyons, and Macon region. In the autumn of 1870 they sent a commercial mission to Kokand, and 1871 was signalized by operations in Dzungaria and by the occupation of Kuldja, which was before the great Mussulman revòlt, a Chinese town,—these events happening far away to the Eastward; or, again recurring to my European comparison, in the Augsburg region. About the same time they extended their knowledge of the mountain passes leading from the Westward into Eastern Turkestan. In the same year, 1871, far, far away on the shores of the Caspian they made two expeditions, I suppose in the nature of reconnaissances, from Krasnovodsk, which they had occupied in the autumn of 1869—these expeditions being across the Steppe in the direction of Khiva. Towards the end of the same year they occupied another point east of the Caspian on the north bank of the Attrek; so that they have now four points of advance on the east of the Caspian—Fort Alexandrofsk, far to the north; Krasnovodsk, further south — this settlement at the mouth of the Attrek, which is called Chikisliar, further south still, and the island of Ashurada, quite at the south, not far from the Persian city of Astrabad. If any one of these advanced posts of the empire, from Kuldja in the north-east to Ashurada in the far south-west, can be said in any sort of way to affect British India it is Ashurada or Chikisliar, because no commander not quite out of his mind would think of advancing upon British India from any of the other places I have mentioned. But the panic about Ashurada has been discounted. The Russians established themselves there in 1837, and a generation of Russo-phobes now in their graves made themselves unhappy on account of it. Chikisliar again could only be important to us if the Russians meant to feel their way along the north of the Attrek and to take possession of Merv. That however, is a proceeding of which they have not given the slightest hint, an infinitely stronger measure than an expedition to Khiva. But to proceed with my narrative of Russian progress since 1869. In 1872 the Russians concluded a very important commercial Treaty with the Atalik Ghazee, the ruler of Eastern Turkestan—a commercial Treaty, however, which contains nothing adverse to our interests, and leaves it open to us to conclude another, which I heartily hope we shall do; for although it would be easy to overrate the importance of trade between Eastern Turkestan and India, I do not doubt that the existing trade may be considerably increased. A mission is about to leave India for Yarkand under the most favourable auspices. These steps of Russia in advance, not very large or very important ones, are all that I have to chronicle as having been made by her since the summer of 1869, with the exception of Colonel Markozof's reconnaissance, the failure of which has led to the Khivan Expedition. Yes;—these facts of a military character, and the diplomatic fact of the Correspondence which has been laid on the Table of the House, are the only facts that have arisen to modify the situation in which we found ourselves with regard to this question in the month of July, 1869. Any amount of speculation may be built upon these facts, but the facts themselves are few in number, and have no very great significance. If there was cause for uneasiness in 1869, there is cause for uneasiness now, and, if not, not. Now, with any speculations on such a subject I can in this place have nothing to do; but I want to ask one or two questions about matters of fact. First, then, when people say glibly that Russia will soon have the Army of the Caucasus ready for operations in Turkestan, what do they mean? General Romanoffski, a good authority, makes the following statement:—

> "In future, then, the Caucasus Army will be regarded by our Generals as the reserve of the Turkestan force, and being always so strong that it can easily spare some battalions without injury to the service entrusted to it, its sphere of action will, in fact, extend to both countries alike."

On this Sir Henry Green grounds the following startling announcement:—

> "From the above it will be seen that at no very distant period Russia will have at her disposal for operations in Turkestan the Army of the Caucasus, numbering 150,000 of her best

trained troops, and having attached to it a considerable body of irregulars, composed of the most warlike tribes of the Caucasus and of Asia Minor, organized somewhat after the manner of our Indian Army, and within a fortnight's call of the forces in Turkestan. With an Army of Reserve so advantageously placed, is it to be believed that Russia would remain passive with regard to India in the event of its suiting her general policy to make an aggressive movement towards that country."

That is a specimen of the kind of reasoning of our alarmist friends. Because the Caucasus Army will soon be able to spare some battalions to re-inforce the Army of Turkestan, therefore the whole Caucasus Army will soon be disposable for an attack on India. It reminds me of the famous German saying in ridicule of some fanciful philosopher's reasoning—"Because the lion is a ferocious beast, immortality is beyond dispute or cavil." Secondly, I want to ask some of our Russo-phobes to put down in black and white the occasions on which Russia has given any evidence of an intention to disquiet us in India. Lord Strangford long ago made the same challenge; but I am not aware that it has ever been taken up. If it were taken up I cannot help thinking that the evidence for each particular intention of disquieting us would be found very scanty. In the preparation of such a paper, unsupported assertions and vague rhetoric would, of course, go for nothing. Thirdly, I want to ask what is the meaning of the constant reference in these discussions to the document called the testament of Peter the Great. A very eminent person described a similar document, ascribed to Frederick the Great, as the longest eared platitude now walking about upon the earth's surface; but until some further evidence has been brought forward than I have yet met with in favour of the well-known testament having been really the production of the great Czar, I shall venture wholly to dispute the title of *L'Art de Regner* to that bad eminence. Before concluding what I have to say about Russia, let me remark in passing that I observe throughout the Correspondence occasional traces of misconceptions that seemed to have assailed—at least momentarily—even the most august personages in Russia with regard to the views of Her Majesty's Indian Government upon the Central Asian question. It is natural that foreign statesmen, although they know, cannot quite realize that the Governor General and his Council in India work in perfect harmony with, and if difference of opinion arises, in absolute subordination to the Secretary of State sitting in Council in London. But the existence of such misconceptions makes it all the more desirable that I, as representing the Secretary of State in Council and the Indian Government in this House, should say that there is not a shadow of distinction to be drawn between their views and those which have been communicated to the Russian Government through the Foreign Office. And now, in conclusion, a word or two about Afghanistan. A purely accidental circumstance gave an altogether absurd importance to a trifling difference of opinion which arose in the course of a long and languid Correspondence which went on for more than three years about the frontiers of that country between the Russian Foreign Office, our own Foreign Office, the Viceroy in Council, and the Secretary of State in Council. The difference of opinion between Russia and ourselves was about a point of political geography of the most obscure and difficult kind; but we, as having better means of getting information with regard to the little known country on the Upper Oxus than the Russians had, chanced to be right, while they chanced to be wrong. Well, they very frankly and very gracefully admitted that they were wrong, and added the expression of a hope that we would do what we could to keep Shere Ali from making aggressions on his neighbours. There the matter ended. Nothing can be less correct than to say, as has been said, that the result of the negotiations was to give up all the country north of the Oxus to Russian invasion. The negotiations had nothing to do with the country north of the Oxus, but left it precisely as they found it. Equally incorrect is the allegation that we came, as the result of the negotiations, under any new and peculiar obligations with regard to Afghanistan. Of course we shall do our best after the negotiations, as we did before them, to try to impress upon Shere Ali or any of his successors the importance of peace both within and without his borders, but that is no new thing. It is a matter of the greatest importance to us as well for commercial as for other reasons not to have, as I once said before, one of our trade gates filled up by a burning house.

It is part of our policy, and a very important one, to surround our frontiers by a circle of States over which we do not wish—nay, would shrink from attempting to exert any authority—because amongst other reasons the charge would be far too great a burden upon our Indian finances, but which we desire to be in close alliance with and powerfully influenced by the Indian Government. The most important of these States are Khelat, Afghanistan, Nepaul, and Burmah. I hope any one addressing this House a few years hence in the office which I fill, may be able to add Thibet and Eastern Turkestan. We consider that these territories are within the legitimate sphere of our attraction, and no hostile interference with them would be viewed with indifference by us. We think they belong of right to the sphere of English commerce and of English ideas; but as for erecting them, or any of them, into defences against Russia or anybody else, that is not what occupies us. If we want at any future time—and in the changes and chances of human things of course it is within the range of possibility that we may want bulwarks against somebody or other—we shall know how to make them, even if the Suleiman and the Hindoo Koosh, and the Karakorum, and the Himalaya into the bargain are so obliging to our foes as to take themselves out of the way. We shall find bulwarks in our own arms and in our own policy. It was by these that we won India against odds, the like of which even the wildest alarmist never brought against us in his worst fits of *Russo-phobia tremens*, and it is by these we mean to keep it. I am heart and soul with those who say that we should watch and know every step of Russian advance. The result of not doing so is, that we are exposed from time to time to such foolish panics as that which has been lately raging; but if we really do take the trouble to keep ourselves accurately acquainted with what Russia is doing, it will be many a day before it is necessary to do anything in consequence which we are not already doing for other reasons, and the best advice that can be given is contained in the Spanish proverb, "Let him attack who wills, the strong man waits."

Mr. BOURKE*: Sir, nobody can have watched the history of events in Central Asia during the last 20 years without feeling they are of the highest possible importance not only to the countries there, but also in connection with our relations with Russia. However, after the exhaustive speeches delivered in the course of this debate, I will not occupy the time of the House by calling attention to the events which preceded the negotiations now under discussion—how the Russian frontier has been advanced across the Kirghis Steppe; how forts have been placed along the Jaxartes; how that river has been turned into a Russian highway; and how, after the capture of Chemkend, the situation was summed up by General Romanowski in these words—

> "All the later events on our Central Asian frontier were the direct consequences of a scheme that had been very long in contemplation, and which had been favoured with His Imperial Majesty's approval in the year 1854. . . . . . During the periods between the years 1854 and 1865 the Government scheme was actually carried out. The advanced lines of Orenburg and Western Siberia were finally closed, and at the same time we obtained beyond the Steppes fertile tracts of land upon which, without inconvenience, we could concentrate an adequate number of troops."

These events naturally led the diplomatists of Europe to turn their serious attention to these transactions, and a circular-despatch was written by Prince Gortchakoff, which was meant to quiet the mind of Europe. I will read a sentence or two from that despatch—

> "By the adoption of this line we obtain a double result. In the first place, the country it takes in is fertile, well wooded, and watered by numerous watercourses; it is partly inhabited by various Kirghize tribes, which have already accepted our rule; it consequently offers favourable conditions for colonization, and the supply of provisions to our garrisons. In the second place, it puts us in the immediate neighbourhood of the agricultural and commercial populations of Kokand. We find ourselves in presence of a more solid and compact, less unsettled, and better organized social state; fixing for us with geographical precision the limit up to which we are bound to advance, and at which we must halt, because, while, on the one hand, any further extension of our rule, meeting, as it would, no longer with unstable communities, such as the nomad tribes, but with more regularly constituted States, would entail considerable exertions, and would draw us on from annexation to annexation with unforeseen complications. . . It is needless for me to lay stress upon the interest which Russia evidently has not to increase her territory, and, above all, to avoid raising complications on her frontiers, which can but delay and paralyze her domestic development."

Notwithstanding these pacific assurances before 12 months had elapsed Russia was at war with Bokhara. General Kaufman entered Samarcand in March, 1868, and the whole district was added to the Empire of Russia under the name of "Tyenaplistan District." Shere Ali, the ruler of Afghanistan, saw that Bokhara, his neighbouring State, was at the mercy of Russia, and that the Cossacks might any day water their horses on the banks of the Oxus. Under these circumstances, he sought an interview with the Viceroy of India, and the Conference at Umballa was the result; and Mr. Forsyth was allowed to proceed to St. Petersburg to communicate to Russia the views of England upon this subject. Three events have also taken place which ought not to be forgotten. 1. The Caucasus has been conquered. 2. The Black Sea Treaty repudiated. 3. The heart of Russia has been connected with the Volga by three railways. This was the condition of things when the negotiations began to which these Papers refer. I much regret that in the Papers which have been produced the House has not been favoured to a greater extent with the opinions of the Government of India, because I cannot help saying, without disparagement to the Foreign Office, the opinion of the former may be more useful than that of the latter. Although the negotiations have been going on for three or four years, only one point is settled—namely, that relating to the north-western boundary of Afghanistan. Nobody can doubt that so far the result is satisfactory, for the British Government have succeeded in the contention they have put forward, and the Russian Government have acquiesced in their view; but these Papers raise two questions of great importance with regard to the negotiations. Has Russia abandoned the contention she originally made, that Afghanistan should be considered as neutral territory? and, secondly, what is the position of our engagements with Russia in connection with Afghanistan? I am under the apprehension that this country will be landed in a great deal of difficulty if the contention of Russia is not repudiated. The House will have observed that the original idea of our Foreign Office was that there should be a

> "Recognition of some neutral territory between the possessions of England and Russia, which should be the limit of those possessions, and be scrupulously respected by both."

Afghanistan was suggested by Baron Brunnow as fulfilling the conditions of a neutral territory, and the idea was eagerly accepted by Prince Gortchakoff, who alleged that the idea was first suggested by Lord Clarendon. So far as we can learn from these Papers, this was an error on the part of the Prince, because Lord Clarendon never did anything of the kind. In the first conversation he had with Baron Brunnow on the subject, he carefully guarded himself by saying he was not sufficiently informed upon the subject to say whether Afghanistan would fulfil the conditions of a neutral zone; and, subsequently, he distinctly arrived at the "decided opinion" that Afghanistan would not fulfil those conditions. Two months after that, a communication between Prince Gortchakoff and Mr. Rumbold is reported to the Foreign Office upon the subject, and the right hon. Gentleman at the head of the Government mentioned in this House in July of 1869, that negotiations were in progress upon the basis of a neutral zone. Again, in the interview which took place at Heidelburg, in September, 1869, Lord Clarendon and Prince Gortchakoff discussed the expediency of an "understanding" between the two Governments, by which a "neutral ground" between the two countries might be established, and Prince Gortchakoff again suggested Afghanistan as "neutral ground" which it was expedient to establish. Again, His Majesty the Emperor of Russia, alluded to a "neutral zone" in his conversation with Mr. Forsyth at St. Petersburg. During the next few months the negotiations made little progress. But at the end of last year, the idea of a neutral zone seems to have been revived, for Lord Augustus Loftus reports a conversation which he had last November with M. de Westmann. On the 30th of December, Baron Brunnow communicated to Lord Granville the despatch of Prince Gortchakoff, in which he recapitulates the different phases of the negotiations. This is the important point, for as I read it the question of Afghanistan being considered by Russia as a neutral zone is left in some doubt—

> "They had consequently come to an agreement that it was expedient to have a certain 'intermediary' zone, for the purpose of preserving their respective possessions from immediate contact. Afghanistan seemed well fitted

to supply what was needed; and it was consequently agreed that the two Governments should use all their influence with their neighbouring States towards preventing any collision or encroachment one side or the other of this 'intermediary' zone. All that remained, in order to make the agreement between the two Cabinets complete in fact as it already was in principle, was to trace the exact limits of the zone. It was here that a doubtful point arose. The founder of the Afghan State, Dost Mahommed Khan, had left behind him a state of confusion which did not allow of the territorial extension which Afghanistan had acquired at certain moments of his reign, being accepted as a basis. It was consequently agreed that no territories should be taken into account, but such as having formerly recognized the authority of Dost Mahommed were still in the actual possession of Shere Ali Khan. It thus became necessary to ascertain, with all possible accuracy, what were the territories in his actual possession. For this purpose it was requisite to have positive local data, which neither Government possessed, with reference to these distant and imperfectly-known countries. It was agreed that the Governor General of Turkestan should be instructed to take advantage of his residence in the proximity of and his relations with the neighbouring Khanates, to collect all the information ncessary to throw light upon the question, and to enable the two Governments to come to a practical decision with the facts before them."

A few days after this despatch was communicated to Lord Granville, Count Schouvaloff arrived in this country, and the negotiations were conducted between that diplomatist and Lord Granville, on the basis of what was called "Gortchakoff-Clarendon" arrangement. But the "Gortchakoff-Clarendon" arrangement was, I have shown the House, upon the basis of a "neutral zone." As to Afghanistan constituting a "neutral zone," I wish to know whether it has been abandoned by Russia. I can conceive no greater source of difficulty in the future than that this country should be compelled to regard Afghanistan as neutral territory. We have never professed to treat Afghanistan as a neutral territory, seeing that hardly a month passes without our being called upon to chastise some of the tribes which owe allegiance to that country—an act which would certainly be a breach of neutrality. I am strongly of opinion that we ought to continue the policy of aiding the Ameer of Afghanistan and supporting him in every way in our power, and I trust that the idea of Afghanistan being rendered neutral territory will be abandoned. Then, as to our future engagements. The interpretation placed upon Lord Granville's words by Prince Gortchakoff is not correct, and is, in my opinion, dangerous. It is alleged by Prince Gortchakoff that England will use all her influence "to induce the Ameer to maintain a peaceful attitude," or as the French may more properly be rendered, "to maintain him in a pacific attitude." That is an engagement of a very onerous character, and it is to be remarked that there is no reciprocal engagement on the part of Russia; while greater difficulties are likely to arise from the tribes over which Russia has influence than from Afghanistan. I hope the Government will be able to inform the House that the interpretation put upon Earl Granville's despatch by Prince Gortchakoff is not the correct one. With respect to Khiva, I do not think England has any right to object to the course—so far as she knows it—that Russia has taken. For the last 150 years the relations between Khiva and Russia have been of a most unsatisfactory character, and no one can excuse the barbarities which have been perpetrated upon Russian subjects. Russia will, I hope, be content with establishing friendly and commercial relations with Khiva, and that diplomacy will induce her to do that which it effected in the case of the Emperor of the French, when, 12 years ago, he withdrew his troops from Syria, rather than disturb the peace of Europe. Russia is far too astute not to know the result of adopting any other policy. She has a perfect right to advance her commercial interests; but if she effects a permanent settlement North and South of the Attrek, it can only be for one purpose—namely, aggression. Russia ought to be fairly and plainly told that such acts as these will lead to the disturbance of peace. I believe that able and straightforward diplomacy may avert such a calamity. England has a great and glorious inheritance in the East, which she is determined to maintain, with the help of God. She has also a great mission in the East, which her people are determined to accomplish. Russia also has a great inheritance and a great mission. Let us, then, pursue each our own course, without infringing upon the domain of the other. I will not advert to measures which it may be expedient to adopt for the sake of self-preservation. There are men in England now who can give Her Majesty's Government the best information upon the subject, and I do not think it desirable to say more upon that matter; but I am glad to see that the Viceroy of India is following up the policy that was initiated two years ago with regard to Yarkand, and that our commercial relations are to be fostered with Eastern Turkestan. Our true policy is, I believe, to make the frontier States as powerful and independent as possible, to increase our influence with them by the establishment of friendly relations rather than by giving them the cold shoulder, and to show them that their destruction will be effected on the day that the British power in India is seriously shaken.

MR. CARTWRIGHT denied that any entangling engagement had been entered into respecting Afghanistan. The only engagement was that England should, by moral persuasion, endeavour to keep the Ameer of Afghanistan within the boundaries recognized by Russia, and Prince Gortchakoff's despatch, reiterating this understanding, implied nothing beyond this. He had failed to discover that the hon. Member who brought this subject forward (Mr. Eastwick) had made any practical recommendations as to the course which should be pursued, though he criticized the course of the negotiations. He seemed, indeed, to recommend the venturesome policy that we should ally ourselves in Central Asia, and he even implied that this should be done in reference to Khiva itself. He (Mr. Cartwright) did not deny the value of a Persian alliance; but he denied that Persia had been treated with neglect, or that within the last 30 years we had acted wrongly towards her. As to the officering of the Persian Army with British officers, that policy culminated in a very disastrous transaction, condemned by the best statesmen of England and India. These questions must be looked into, not from an Anglo-Indian, but from an Imperial stand-point, for a collision in Central Asia would be a collision between England with all her interests and the other Power, and with such perils in the atmosphere, the question could not be in better hands than those of the Foreign Office, which regulated our international relations.

SIR STAFFORD NORTHCOTE said, he did not wish to enter upon the large question which had been discussed that evening; but he would say that the point which had been raised by the hon. Member (Mr. Bourke) was one that required careful consideration and full explanation on the part of the Government, that was, with regard to the amount of obligation which we had contracted by the Correspondence which had taken place with regard to our relations to Afghanistan. He believed that there was a tolerable agreement that whilst we ought not to neglect the advance of Russia in Asia, we should not be overmuch alarmed at it; but still it was a remarkable advance, and it was impossible not to feel that it had a direct effect upon our position in India, and certainly it must have an indirect effect by causing a good deal of anxiety and excitement in the minds of our fellow subjects in India. On the other hand, we had no reason to doubt the truth of the motives put forward by Russia for her advance, and we might feel that Asia was large enough for us both, and that the interests of civilization would probably be best promoted by the absence of jealousy between two great European Powers, and that nothing could be more unfortunate than any unnecessary collision between them. Then the question was raised, in what way were we to proceed in consequence of the advance of Russia? Were we to take any forward step or to remain on the defensive? He thought the general opinion of the country was in favour of our remaining as far as possible within our own boundaries, strengthening ourselves by improving our administration of India, by consolidating our Empire there, by conciliating the affections of our subjects, and protecting our frontier by railways and other strategical measures which would enable us to resist attack. Another question was, what should be our policy with regard to the States immediately bordering our Indian Empire; because in keeping ourselves strong within our own limits, it was important to cultivate good relations with those States, and prevent the flame of discontent and of hostilities from being lighted in any of them. If Russia had any designs of an aggressive character against us — which he was most unwilling to suppose—it was clear that nothing could be more favourable to their execution than the disturbances which might be raised on the frontiers of India. On the other hand, if she had no such designs, still, if disturbances occurred on our frontiers, it was quite possible—if she had come very near to those bordering States—that she might be forced against her will into action, which might bring her into collision with us. Therefore, we had to consider what policy we should pursue with reference to those countries, and especially to Afghanistan. In recent years we had taken a step of considerable importance in respect to Afghanistan. The policy initiated by Lord Mayo was a wise one—namely, to give that kind of assistance to the *de facto* Ruler of Afghanistan which would be most likely to prevent troubles in that country and put down disturbances. They were to give him no guarantee, but assistance with a view to keep the country quiet. Whether wisely or not—he would not now inquire, although he had some doubts as to its wisdom—Lord Clarendon, as the representative of England, thought it expedient to open a communication with the Russian Government with regard to the possibility of some future collision in Asia between the two Powers, and suggested, in order to avoid such collisions, that some neutral zone might be established to lie between them and keep them, as it were, apart. The hon. Member for Oxfordshire (Mr. Cartwright) said, that although that suggestion was made at the beginning of the Correspondence, the neutral zone soon dropped out altogether, and had nothing to do with the arrangement that was actually made. Now, he should be glad if he thought the Correspondence bore out that view; and that was a point on which they ought to ask for an explanation from Her Majesty's Government. Was the neutral zone really a notion which had been got rid of, or one which had pervaded and governed the whole Correspondence, and was the essence of the arrangement which had been come to? In the despatch, dated March 27, 1869, Lord Clarendon said—

> "It was in order to prevent such a state of things that I earnestly recommended the recognition of some territory as neutral between the possessions of England and Russia which should be the limit of those possessions, and be scrupulously respected by both Powers."

That was the original proposal. Then came the suggestion that Afghanistan should be that neutral territory, and thereupon Lord Clarendon expressed some doubts whether Afghanistan fulfilled all the conditions that were desirable for that purpose, because there was some uncertainty as to what its limits actually were. Then some discussion arose between the two Governments about the proper limits of Afghanistan, and ultimately they came to an agreement. When Prince Gortchakoff summed up the position, he said the two Governments had agreed that it was expedient to have a certain intermediary zone to preserve their respective possessions from immediate contact—that Afghanistan seemed well fitted to supply what was needed, and all that remained was to trace its exact limits. Ultimately it was agreed that its border should be that which had been settled. Nobody could doubt that it was an excellent thing for the peace and tranquillity of Afghanistan that her limits should have been settled between England and Russia, and that Russia should have recognized the boundary so described as lying altogether out of the pale of Russian influence, and disclaimed any intention of going into Afghanistan, which we had no intention to interfere with except for the purpose of keeping peace. Still, some uneasiness was naturally felt as to how far we were bound by the original expression that this was to be treated as a neutral country, and to be strictly respected. Were we at liberty to interfere with the affairs of Afghanistan, if it became necessary, in order to preserve the peace in India? Supposing, for instance, that invasions were made into our territory, with the sanction and encouragement of the Ruler of Afghanistan—or supposing a contest hereafter arose between two Chiefs of Afghanistan for supremacy in that country, and an attempt was made on one side or the other to excite the population which sympathized with Afghanistan on the English side of the frontier—were we to be so bound by the engagement we had entered into with Russia that we could not, if necessary, interpose in the affairs of Afghanistan to chastise those who might disturb our frontier or cause us uneasiness in any other way? That was the point, on which there ought to be a distinct understanding, because it seemed to him that the original suggestion of an intermediary zone had governed the whole of the negotiations, and formed the essence of the arrangement which had now been made. He felt, however, that in this matter they ought to abstain from hampering or inconveniencing Her Majesty's Government. The matter was one of considerable delicacy and great importance. It was impossible not to see that when they entered into engagements of that kind with a Power which might at some future time have reasons for not being sorry to pick a quarrel with us, it would be extremely dangerous to give Russia an excuse for interfering with us when it was not our interest or our wish to have a quarrel with her. One could not help feeling that there would be, as heretofore, many occasions of quarrel between Afghanistan and the neighbouring States, and that it was quite possible complications might arise for which we should not be in any way responsible, and which would not directly affect us, but which, under present arrangements, would give Russia a pretext for saying—"You must stop the Afghans from what they are doing, or we shall be obliged to come and chastise them, and perhaps annex Afghanistan."

GENERAL SIR GEORGE BALFOUR said, that in discussing this question our relations with China had been overlooked. In the midst of our distress, in 1858 and 1859, on the Peiho, Russia took advantage of it to obtain a vast amount of sea-board territory, by which she obtained possession of the navigation of the Amoor, and other advantages of great importance. So far as we could ascertain from Chinese documents, the influence of Russia had of late years been used in hostility to us. If, along with the acquisition of territory in Central Asia, Russia favoured the extension of commerce and of peace and goodwill we should have no reason to find fault with what she had done. But Russia carried on her commerce in a manner so exclusive as to prevent that intercourse which would lead to a good understanding with other nations. And as for peace and goodwill on her part towards India, had we forgotten former days, when the interference of Russia involved India in great danger? No one was more alarmed than Lord Dalhousie at the intrigues of Russia, and if any hon. Members had a doubt on the subject he would beg them to read the remarkable Minute of Lord Dalhousie in the beginning of 1854. Russia had then no possessions near India as she had now. She had then many difficulties to contend with, and yet she had caused much anxiety to such a man as Lord Dalhousie. Remembering these and other things, he thought we had little reason to rely on the assurance of the Under Secretary that Russia entertained towards India sentiments of peace and goodwill. He would recall to the recollection of the House the siege of Herat, which the Under Secretary had designated the "Gate of India," and which that gallant young officer Eldred Pottinger had defended for nearly a year. Russian troops on that occasion were in the pay of Persia; they were deserters from Russia, nevertheless they were encouraged by the Russian Minister to attack Herat. The very fact that we sent a special Ambassador to Russia to demand explanations of her conduct with regard to Afghanistan showed what we thought. Russia then disavowed what her two Ministers had done; but it was plain these men had intrigued against India. When he was in India himself they were in great anxiety on account of Russia, and had been forced to incur expenditure from which India had not yet recovered. In 1838 Russia was far distant, but now she could advance to Herat in a far shorter time than we could march to Candahar. It was on that account that he would earnestly beg the Government not to allow panics to come upon us because those panics were the forerunners of expenditure, would retard the improvement of India, and prevent Lord Northbrook from carrying out those great reforms which more than anything else would produce peace and contentment in India. The best means of allaying those panics and feelings of distrust would be to make public the fullest information on this subject that could be obtained, and in the manner proposed by the hon. Gentleman opposite (Mr. Eastwick).

MR. GLADSTONE said, the Motion had only this morning been placed on the Paper and the Foreign Office had not had sufficient time to search out and examine the Papers for which the hon. Member (Mr. Eastwick) asked. It was impossible, therefore, for the Government to say whether it would be prudent to publish them, and in that case he presumed the hon. Member would not press for their production. Matters of great delicacy, however, had been discussed during the debate upon which it was incumbent upon him to say a few words. Reference had been made to the expression that the object of the Correspondence was to establish "a neutral zone" between the British territories on the one side in Asia, and on the other side the territories of Russia, or other territories with which Russia was supposed to stand more or less in relation. With regard to the expression of a "neutral zone," he wished to observe that there was no necessity of treating it as a part of the contention either on one side or the other. On the 27th of March Lord Clarendon wrote that he earnestly recommended some territory as neutral between the possessions of England and Russia, and therefore it was so far not a Russian but a British contention. There was, however, no contention at all. It was afterwards suggested that there should be an intermediary zone. That expression did not appear to have been used as a technical or formal expression, but one dictated for the convenience of both sides alike. He did not think it to have been a matter of engagement between the two countries that a neutral zone should be established. He thought it to have been a general and somewhat indefinite mode of expressing, in a very general way, the views entertained on both sides, and of giving expression to ideas which were subsequently to receive a more specific form. That was why the expression occurred in the early part of the Correspondence, and why it did not appear in the final letters and discussions in which the positive intentions of the parties were definitely expressed. The right hon. Baronet (Sir Stafford Northcote) viewed with some apprehension the use of this expression on account of a particular sense which might be applied to it if it were understood that there should be a neutral zone or territory. He had asked whether England had in any degree restrained the rights she previously possessed to look to her own safety if a case of necessity should arise in connection with the territory of Afghanistan. He answered that question unhesitatingly in the negative. There was in this Correspondence no restraint upon belligerent rights—upon the rights of England to maintain her own honour, and her own interests, as she might conceive herself bound to maintain them in Afghanistan, or indeed in any portion of the world. The Correspondence proceeded upon the assumption that in Asia two Powers, such as Russia and England, naturally stood in the position of what might be called relative superiority to the Asiatic States, with which they were respectively conterminous; it assumed that a certain influence would flow from these superior Powers, perhaps insensibly, and affect the Asiatic Powers; the Correspondence referred entirely to the exercise of that influence and its geographical limits. So viewed, the Correspondence contained three things. In the first place, it contained a negative engagement on the part of Russia. That negative engagement was perfectly distinct, and it was described by Lord Clarendon on the 27th of March, 1869, when he said that Baron Brunnow called upon him that morning and gave him the positive assurance that Afghanistan would be considered as entirely beyond the sphere in which Russia might be called upon to exercise her influence in the East. That engagement was a negative engagement. It was a negative engagement on the part of Russia, which was described in the words of Lord Clarendon on the 27th March, 1869, when he quoted the letter of Prince Gortchakoff, giving a positive assurance that Afghanistan would be considered entirely beyond the sphere within which Russia might be called upon to exercise her influence in the East. The next important component part of the Correspondence was the discussion with respect to the actual frontier of Afghanistan, which was a subject of considerable difference of opinion; but upon careful examination and investigation, the Russian Government, in a manner for which they were entitled to every credit, acceded to the British view, as being probably founded on more copious and accurate information than it had been in their power to obtain. Therefore, a distinct understanding had been arrived at sufficient for all practical purposes as to the geographical line of the frontier of Afghanistan. The third portion of the arrangement was the positive engagement entered into by the British Government. He entirely agreed in the remarks made on the propriety of promoting in Afghanistan, as the best of all bulwarks, a state of things which would make the people contented and prosperous; but he saw no cause for the apprehension expressed as to the extent of our obligations. England had undertaken to impress on the Ameer in the strongest terms his obligation, in consideration of Russian recognition of his boundaries, to refrain from any aggression, and to continue to exercise our influence in this direction. Russia naturally attached value to this undertaking, and he would not extenuate its import. Prince Gortchakoff had given his own version of it, in which he spoke of England as engaging to use its influence with the Ameer to maintain a peaceful attitude, and to give up all measures of aggression or further conquest. Even if Prince Gortchakoff had placed the construction on our engagement that it bound us to coerce the Ameer and become responsible for his conduct, we should not be bound by this, unless it were a construction flouted in our face, in which case we should have been called upon to repudiate it; but Prince Gortchakoff had done nothing of the kind, the fact that the argument turned entirely on the use of the word influence showed that moral influence was meant, not an engagement to use force; and he believed the French version was even more satisfactory than the English on this point, the word "insist" being more capable of the construction of physical force in English than as it stood in the French version. The engagement referred solely to the moral influence necessarily possessed by England and Russia in the East, Russia engaging to abstain from any attempt to exercise it in Afghanistan, and England engaging to exercise it for a pacific purpose. He did not believe that any doubt had arisen or could arise between the parties concerned as to the meaning of the engagement.

Mr. DODSON, referring to the use of the term "guarantee" in Prince Gortchakoff's last despatch, which appeared to cast on us a greater responsibility for the Ameer's conduct than Lord Granville's words had committed us to, would ask whether any reply had been sent explaining or re-affirming our intentions; and, if so, whether it would be laid on the Table?

Viscount ENFIELD said, no reply had been sent, the Government believing that none was necessary. He could fairly leave the case in the way in which it had been put by his right hon. Friend at the head of the Government.

Mr. EASTWICK said, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

FISHERY INSPECTORS (IRELAND) BILL.

On Motion of Mr. Butt, Bill to declare and define the powers of Inspectors of Fisheries in Ireland with reference to free gaps in weirs, *ordered* to be brought in by Mr. Butt and Mr. Callan.

Bill *presented,* and read the first time. [Bill 136.]

House adjourned at a quarter before One o'clock.

HOUSE OF COMMONS,

Wednesday, 23rd April, 1873.

MINUTES.]—Public Bills—*Ordered—First Reading*—Local Legislation* [137].

Second Reading—Canonries [18]; Municipal Franchise (Ireland) [73]; Intestates Widows and Children* [114].

Committee — Report — Salmon Fisheries (*re-comm.*) [93].

Third Reading—Gretton Chapel Marriages Legalization* [111], and *passed.*

Withdrawn—Locomotives on Roads [88].

CANONRIES BILL. [Bill 18.]

(*Mr. Beresford Hope, Mr. William Henry Smith, Mr. J. G. Talbot.*)

SECOND READING.

Order for Second Reading read.

Mr. BERESFORD HOPE: Sir, this is a Bill on which I do not think there will be any necessity for me to detain the House with a very long statement, for it is simply a Permissive Bill, and its sole object is to let loose private benevolence. If there is no one to come forward in accordance with its provisions to endow canonries, then the Bill will be a dead letter; but if people do come forward, then a vent will be found for that benevolence which, under the provisions and limitations of the Bill, no one can say would be extreme or calculated to do injury to any interest either of the Church or of Nonconformity. The question of the cathedrals, as the House knows, has often been before the public. All the cathedrals of England were reconstituted on a diminished establishment by the Act 3 & 4 *Vict.* c. 113, by which, and by some amended statutes afterwards passed, they are at present regulated. But, in the meantime, the practical value of cathedrals, not merely as Corinthian capitals, not merely as ornamental institutions, or as an easy means of giving a stipend to a clergyman after a life of hard work, but rather as working institutions, had become more generally known, and in the year 1852 a Commission was appointed to report upon a scheme of cathedral reform. That Commission issued three Reports, with bulky appendices, in the years 1854 and 1855; but the recommendations of the Commissioners have ever since, generally speaking, remained a dead letter. I do not propose to revive them, but I may explain that in my Bill there is nothing contrary to them. The Bill, of which I now move the second reading, takes the form of one to amend a certain clause in the Act 3 & 4 *Vict.*, c. 113. By that measure, whilst there was a large suspension of canonries in all the cathedrals of the land, the canonries being, as a general rule, reduced to only four per cathedral with two or three exceptions, such as Canterbury, Ely, and Christ Church, Oxford, a power was reserved to revive canonries in three ways—namely, a disposition by the cathedral of a portion of any surplus revenue which they might still hold, provided the amount which they handed over to the Ecclesiastical Commissioners was not diminished; or by a private endowment which, in the case of lands and real property, was expressly limited to £200 a-year; or, lastly, by the annexation of a benefice to one of the suspended canonries. In dividing the clause in the manner I have done, and in assuming that those three processes are alternative, I am supported by a strong opinion, no less than that of the present Attorney General, who, I believe, as a matter of notoriety, did give an opinion to that effect to a Bishop who desired recently to revive two canonries in his Cathedral. However, the clause in the Act of Victoria is simply ambiguous in its wording, and it is therefore read by some persons as providing that a slight endowment on the part of a Chapter must be a necessary antecedent. Now, I do not think that the right interpretation of the clause. Still, there is the ambiguity; and by way of getting over it I deal with that interpretation as if it were the right one, and I start in my Bill by positive enactment to establish the contrary, and, as I believe, the true interpretation of the Act. So much, then, for the general framework of my Bill. But what is my object in proposing the measure? Is it to provide an additional number of feather beds for aged clergymen? By no means. I look upon our cathedrals as eminently working institutions. They are working institutions; but they may be and ought to be made more working institutions. They come in as a supplement to our admirable parochial system; that system which is doing a great deal but cannot do everything. In our large towns, with their vast masses of ever-growing heathenism, we want a body of missionary clergymen to go and preach, and the adaptation within our Church of something akin to the "Revival system," under proper regulations. That system can be best provided by a body of missionary clergymen, not attached to any particular parish, but under orders to go and work wherever they are required. There are other duties, and amongst them there is, in particular, the inspection of Church Schools in religious teaching, since general inspection has by the Elementary Education Act, become a purely lay procedure, while the Church still wants its religious inspection. Again, there is the training of parish choirs, as well as many other things which good and generous people may wish to endow, and cannot except by setting up private institutions at a great cost and under cumbrous trust deeds, and with the perpetual risk of their becoming extravagant in their views and practices, and thus defeating the objects of those who set them up. I desire, therefore, to untie private beneficence and to provide a way for endowing these offices under due regulations. Just as the creation of processes for the endowment of new parishes proved to be the regeneration of our parochial system, and has sown broadcast thousands of churches, each with its minister and means of grace, so I believe it would be equally safe and equally salutary to untie beneficence in regard to our cathedrals, and to let good Christians supplement the parochial organization by the endowment of canonries, with specific duties attached, in the manner I propose by this Bill. In form, I propose to permit canonries being revived or created without specific duties. But I do not contemplate any such use of the measure being made. There is no fear of its producing any extravagant results; for no canonry can be endowed under the Bill without running the gauntlet; first, of a man being found who is ready to endow a canonry; secondly, of its having the approbation of the visitor, who is the Bishop of the diocese; next, the approbation of the Chapter, a body who will be very jealous of any alterations in its constitution; subsequently the approbation of the Ecclesiastical Commissioners who always look sharp enough after matters in which they are concerned; and lastly, the approbation of the Queen in Council, that is of the Government of the day. All these checks are, I think, sufficient to make the Bill perfectly safe. In the original Act, endowments in land were limited to £200 a year; but owing to the jealousy with which the tying up of land in mortmain is now regarded, I do not propose to allow any further facilities for endowments in land but only in money. Any fears on that head, therefore, are unnecessary. The original Act is only operative for the revival of suspended canonries in cathedrals where there are canonries which have been suspended. In many cathedrals there are not only suspended canonries, but there are non-residentiary prebends or honorary canonries. In such cases I proceed with the same machinery to convert such non-residentiary prebend or canonry into a substantial canonry. In other cases, where none of these are available, I propose that a new canonry should be instituted. With regard to the new Canon's position in the Chapter, it may be sometimes desirable that he should stand upon the same level as the old Canons. In other cases that may be undesirable, and there he may be simply declared an accessory and stipendiary member. But in reference to all these cases my Bill is perfectly elastic, and the scheme provides for every possible position of a Canon, from that of equality with the existing Chapter to that of stipendiary; and each scheme will have to be drawn up *pro re nata* to suit the circumstances of each particular case. There is only one other point, and that is to explain the 5th clause, the terms of which have been commented upon in some quarters. It provides that—

> "No Canonry re-established, additionally established, or converted from a non-residentiary Prebend under this Act, shall without special provision to that effect in the plan be capable of annexation by way of endowment to an Archdeaconry."

Now the requirements of the Act 3 & 4 *Vict.* proceeded too much on the basis that a canonry is a sinecure office, whereas my Bill proceeds on the basis that canonries ought all to be working offices. This clause, therefore, simply provides that a canonry which has been set up for some specific object such as the support of missionary preaching, should not be diverted from that object and converted to the endowment of an Archdeacon. I do not prevent one being specifically set up for the purpose, I rather invite it. I think, then, that this 5th clause, though not of the essence of the Bill, is at any rate a desirable addition to it. This then, Sir, is the Bill I propose to the House. It may have an extensive operation, and I shall be glad if it has, for that extensive operation would be one for the spread of the Gospel in the dark places of the land, and would tend to make our venerable cathedrals real centres of Christian life and light to the benighted millions. That being so, I commend it to the House as a measure of sound reform; of reform that does not tax the public a single farthing, but rests upon the broad basis of private munificence. On the other hand it may have only a slight operative value, but even in that case it is a measure that will be wholesomely available here and there. In no case can it do any harm, or introduce any difficulty into the working of the existing system. I beg leave then, to move that this Bill be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time.—(*Mr Beresford Hope.*)

Mr. BRUCE said, on the part of the Government he had no objection to the Bill. There was no doubt that some of the sections of the Bill referred to were ambiguous and open to exception, yet it seemed reasonable that persons should be allowed to make endowments for canons; and he had no doubt the creation of canonries would be in many cases very useful to the Church, and might, to some extent, supplement the activity she had lately shown. Seeing no objection to the scheme of the hon. Member, he would not oppose the Bill.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday.*

LOCOMOTIVES ON ROADS. [Bill 88.]

(*Mr. Cawley, Mr. Wykeham Martin, Mr. Frederick Stanley, Mr. Hick, Mr. Pender.*)

SECOND READING.

Order for Second Reading read.

Mr. CAWLEY, in moving "That the Bill be now read a second time," observed that the present law applicable to locomotives used on turnpike and public roads was only a temporary measure, carried on from year to year by the Continuance Act. The time had, in his opinion, gone by when locomotives travelling on roads could be practically prohibited, for they were now so much used for agricultural and other purposes, that he thought the time had arrived when the law relating to them should be made clear and permanent, and that was what the Bill purposed to do. The present regulations were of a vague and perplexing character; for instance, the enactments that a locomotive on a common road, must be preceded 60 yards by a man waving a red flag, or that the engineer when meeting other vehicles must leave as much space as possible between his engine and the pavement were clearly out of place; and he maintained that the best principle to adopt would be that of simply making every man who drove a locomotive along a road responsible for his own acts, without defining beforehand what they were to be. He could not understand why the Bill should be opposed on the second reading, for although some of the details of the measure might be objectionable, yet they could be dealt with in Committee. He did not think that locomotives were so likely to frighten horses as some of the heavily laden waggons which passed through the streets, and in fact greater protection was provided by the Bill against accidents than could be found in the law as it stood. Not only that, but it was quite possible to construct locomotives which should be perfectly harmless in passing along public roads. The Bill accordingly provided that any locomotive which did not emit smoke, and which when working did not produce any noise by steam, or discharge steam into the open air, might, if conformable with other conditions named in the Bill, be used on any turnpike or public road without a licence from a local authority, but that no locomotive which failed to comply with these conditions should be used without a licence. To prevent abuse of the power to licence conferred by the Bill in local authorities he provided for appeal to the Board of Trade. The question of special injury to roads he made one of the conditions of licence, for it was impossible for anybody to value special damage done by a particular vehicle passing along the road, and it was only fair that the licensing authority should have the power to refuse permission to the passing of a locomotive constructed as some were, with flanges for instance, to commit special injury to roads. To the same licensing authority in towns and boroughs he gave power to limit the hours during which the locomotives should be used, and to limit their use to particular roads. The tolls were the same as in the existing Act, but they were simplified so as to bring them within the comprehension of average toll-keepers. In conclusion, he thought that the time had come when those interested in the use of these locomotives ought to know what the law was, and he was therefore surprised at the opposition which was to be offered on the part of the farmers, because an engine working in a field within 25 yards of the roadside was more dangerous than one passing along the road. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Cawley.*)

Mr. GREGORY, in moving, as an Amendment, that the Bill be read a second time that day six months, said, he complained that his hon. Friend had not sufficiently referred to the provisions of the Act of 1865, which contained much greater protection to the public than the Bill before the House. He maintained that the present restrictions were necessary for the protection of the public. For instance, at present the speed of road locomotives was restricted to two miles an hour, but the Bill of his hon. Friend allowed five miles in town and eight in the country, and he would ask how it would be possible to tell whether the speed was five, six, eight, or ten miles an hour. He contended that they had not had sufficient experience of the working of these locomotives under the present law to enable them to say that larger powers should be granted to the owners of them, as he believed that if this Bill were passed public interests would be endangered, he opposed it. The introduction of these locomotives was a modern innovation; they were intruders upon the public roads; and, therefore, Parliament was bound to see that they were under proper safeguards.

Sir EDWARD COLEBROOKE, in seconding the Amendment, said, the Bill ought to be rejected on the second reading because the objections to it were such as could not be dealt with in Committee, and would not be met by amending details. His hon. Friend the Member for Salford (Mr. Cawley) had not made out a case of sufficient inconvenience to justify the proposed change of the law. At the invitation of the senior Member for Glasgow (Mr. Dalglish), he had, in an evil hour, consented to make an experimental trip of a quarter of an hour on one of these locomotives, and he admitted that it seemed to be possible to construct an engine with improvements which would obviate the objections to the use of it on common roads. The whole question was one of speed, and a machine going along the road at the rate of five miles an hour would in itself be a cause of alarm; and in the streets of towns would be fraught with positive danger. The provisions with regard to penalties would be perfectly inoperative, and the owners of these engines would be able to do just as they pleased. The time had not arrived for the proposed changes, which, if made, would produce fresh demands from the Tramway Companies for permission to use engines on their railways. He hoped his hon. Friend would withdraw this Bill, and content himself with the introduction of a measure which should be limited to the removal of the inconveniences which were complained of as arising under the existing law—or would move for a Select Committee to inquire into the whole question.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Gregory.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. F. STANLEY hoped the House would assent to the second reading of the Bill, for the simple reason that the law as it stood was difficult of application. The objections formerly urged against road locomotives had been wholly or partially removed in consequence of the improvements which had taken place in their construction and use, and it would not be the interest of any owner of these engines to use them in such a manner as to expose him to loss either by want of care or accident. The object of the Bill, therefore, was to encourage the use of locomotives, provided they could be used with safety and without injury to the public roads. As to horses shying, what would they not shy at? Horses were becoming used to railways, whereas formerly it was deemed a great risk to drive over a level crossing. A country horse would be frightened by a military band, but not by the noise of a thrashing machine; and a town horse would be frightened by the thrashing machine and not by the band. The proposed restrictions, moreover, were not much less stringent than those now in force, and they might be modified in Committee; and he thought that the giving of power to the local authorities to grant licences would be sufficient protection to the public against danger. With respect to injury to roads, he could cite evidence given before the Lords' Committee to show that the locomotives, with their broad wheels, improved rather than injured roads, and the injury, if done at all, was committed by the narrower wheels of heavily-laden waggons drawn by locomotives. The experience of the hon. Baronet opposite the Member for Lanarkshire (Sir Edward Colebrooke) seemed to tell in favour of the Bill rather than against it, because it was hoped that the use of locomotives would suggest further improvements. In conclusion, he must say he had no private interest in the matter, but on public grounds he hoped the House would assent to the second reading of the Bill.

Mr. BRUCE said, several reasons might be adduced to show that some change was required in the present laws relating to this subject. The two Acts which now dealt with it were tentative measures; and, besides, considerable improvements had recently been made in the character of the locomotives which could be used on ordinary roads, in a great degree obviating the objections which those measures were enacted to guard against. At the same time, the uncontrolled use of locomotive engines on roads which were frequently very narrow and which passed through populous villages must be a source of great danger, and it should not be forgotten that the House was called upon to legislate on this difficult subject without being in possession of sufficient information with regard to it. Unfortunately, no Department of the Government was capable of supplying the requisite information. With respect to the question of safety, there were at present strict conditions as to the speed and manner of using locomotives, and those conditions the hon. Member for Salford (Mr. Cawley) proposed to relax to a very great degree. It was proposed to increase the speed of these engines in town up to five miles an hour, and in the country to eight miles an hour, so that if this Bill passed there would be nothing to prevent an engine going through a populous country village, the streets of which formed the ordinary playground of the children, at the rate of eight miles an hour. It was obvious that some limitation in that respect would have to be made. Further than that, he thought it was obvious that beyond the question of safety to the public, there were other reasons against the proposed legislation, involving questions affecting the interests of the ratepayers. On turnpike roads these engines might be compelled by means of tolls to contribute adequately to the repair of the roads, but on highways no toll could be levied, and yet considerable damage must be done to them by the passage of engines of enormous weight, especially when they drew a number of waggons after them exactly in the same track. Again, the Bill was defective, inasmuch as it did not provide for the security of the bridges, or the roads to be traversed by these engines, or for the cost of putting them into a proper state of security. In addition to that, the House was not in possession of information as to whether the improvements in these engines were really of such a nature as to justify an extension of the powers granted by previous Acts, and a relaxation of the restrictions imposed by them. The objections he had made were all matters of detail, but details formed the very essence of the whole subject, and therefore it seemed to him the action of the hon. Member in this matter had been premature, and that the House could not safely sanction the extensive powers asked for. He would advise the hon. Member to withdraw the Bill, and move at some future time for a Select Committee to inquire into the whole subject.

Sir HENRY SELWIN-IBBETSON felt convinced the House would not be prepared to sanction the second reading of a Bill of this kind, or to allow such a measure in itself to be submitted to the consideration of a Committee upstairs. From personal experience, derived in Essex, he knew that it was very difficult to get spirited horses to pass gigantic and noisy engines in narrow, twisting country lanes, and yet the Bill proposed to do away with the precautions against danger provided by existing legislation. If the present restrictions were relaxed in the manner proposed by the Bill, a history of accidents might be created which would necessitate his coming down to that House and asking it to legislate for them in a similar way to that in which he was now asking it to legislate for another class of accidents. No one could deny that the present law was in an unsatisfactory state; but this circumstance only indicated that the Government ought either to bring in a Bill themselves, or else by instituting an inquiry enable hon. Members to obtain full information on the subject.

Mr. BROMLEY DAVENPORT said, he too had had considerable experience of these engines on country roads. In the vicinity of his own country residence, one of them took a journey along the turnpike road, and for a distance of eight miles it broke through the road about every 50 yards, doing damage which it would take £100 to repair. Finally, the monster itself came to smash, and never recovered from the injuries it received. He trusted the House would reject the Bill at once rather than refer it to a Select Committee, as he desired to prevent even the possibility of so objectionable a measure again coming under the consideration of the House.

Mr. MACFIE said, he must express a hope that his hon. Friend who had introduced the Bill would accept the proposition of the Government, and allow the subject to be referred to a Select Committee. The constituency which he represented felt a great interest in the Bill, but they were quite willing that consideration should be given to the objections which had been stated. It would be a great pity if this new mode of locomotion should not have every advantage if it was likely to prove beneficial to the public. At the same time, if his hon. Friend would withdraw the Bill, it might be better than to ask the House at once to decide upon it.

MR. CAWLEY said, that understanding the Government were willing that a full inquiry should take place, he had no objection to withdraw the Bill, and give Notice of his intention to move for the appointment of a Select Committee to consider the whole matter.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

MUNICIPAL FRANCHISE (IRELAND) BILL—[BILL 73.]

(*Mr. Butt, Mr. Patrick Smyth.*)

SECOND READING.

Order for Second Reading read.

MR. BUTT, in moving "That the Bill be now read a second time," explained that its object was to assimilate the Municipal Franchise in Ireland to that of England. Last year the measure passed the second reading without opposition, but he was unable to pass it through the subsequent stages.

DR. BALL said, the Bill, among other things, abolished the £10 franchise, which had been deliberately proposed by a Liberal Government in order to raise the character of the persons entitled to vote at municipal elections, and he must decidedly object to such a proposal. In the smaller Irish boroughs, many of the dwellings were no better than cabins, and their inhabitants no better than labourers, who were certainly not fit, in his opinion, to possess the municipal franchise. Further than that, he maintained that a Bill of that importance, if necessary, ought to be brought forward on the responsibility of the Government, and not by a private Member. Besides, the House had not the slightest information as to the additional number of voters who would be enfranchised under the provisions of the Bill. His own opinion was, that the measure would be attended with evil consequences, and that it would vest the control of local taxation in persons who ought not to exercise such a power. Considering the thin attendance in the House he would not divide upon the second reading, but he gave Notice that on the Motion for going into Committee on the Bill, he should move, that the Committee be taken on that day three months.

MR. BRUCE said, the merits of the Bill were fully discussed last year, when the then Attorney General for Ireland (Mr. Dowse) assented on the part of the Government to the second reading. He had pleasure in acknowledging the courtesy of the hon. and learned Gentleman not in taking a division, but he begged to remind him that it was not an hour of the day favourable to a large attendance. He believed that the houses in the municipal boroughs of Ireland had been very much improved, and that the time had arrived when there might be an assimilation of the municipal franchise in both countries.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

SALMON FISHERIES (*re-committed*) BILL.

(*Mr. Dillwyn, Mr. William Lowther, Mr. Assheton Mr. Alexander Brown.*)

[BILL 93.] COMMITTEE.

(In the Committee.)

Clauses 1 to 18, inclusive, *agreed to.*

Clause 19 (Amendments of "Salmon Fishery Acts 1861 and 1865.")

MR. BOWRING moved to omit the words "twentieth and," with a view, as it was understood, to exclude trout from the operation of the clause.

Amendment proposed, in page 9, line 18, to leave out the words "twentieth and."—(*Mr. Bowring.*)

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:* — Ayes 50; Noes 45: Majority 5.

Clause *agreed to.*

Clauses 20 to 67, inclusive, *agreed to.*

On the Motion of Colonel WALKER, Clause 68 *struck out* of the Bill.

Remaining Clauses *agreed to*, with Amendments

House *resumed.*

Bill *reported;* as amended to be considered upon *Tuesday* next.

LOCAL LEGISLATION BILL.

On Motion of Mr. HERON, Bill to establish a Court for the Local Legislation of the United Kingdom, *ordered* to be brought in by Mr. HERON and Mr. Serjeant SIMON.

Bill *presented*, and read the first time. [Bill 137.]

House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Thursday, 24*th April*, 1873.

MINUTES.]—PUBLIC BILLS—*First Reading*—New Zealand Roads, &c. Loan Act (1870) Amendment * (76); Gretton Chapel Marriages Legalization * (77); Elementary Education Provisional Order Confirmation (No. 3) * (78).

Second Reading — Registration of Births and Deaths (49).

Select Committee — Report — Supreme Court of Judicature * (72).

Committee—Marriages (Ireland) (40-75).

Committee—Report—Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) * (46).

Report—Supreme Court of Judicature * (45-73).

Royal Assent—Salmon Fisheries Commissioners [36 *Vict.* c. 13]; Custody of Infants [36 *Vict.* c. 12]; Mutiny [36 *Vict.* c. 10]; Marine Mutiny [36 *Vict.* c. 11]; Bastardy Laws Amendment [36 *Vict.* c. 9].

PRIVATE BILLS.

Ordered, That no Private Bill brought from the House of Commons shall be read a second time after *Thursday* the 19*th day of June* next:

That no Bill authorizing any inclosure of lands under special report of the Inclosure Commissioners for England and Wales, or confirming any scheme of the Charity Commissioners for England and Wales, shall be read a second time after *Friday* the 20*th day of June* next:

That no Bill confirming any provisional order shall be read a second time after *Friday* the 20*th day of June* next:

That when a Bill shall have passed this House with amendments these orders shall not apply to any new Bill sent up from the House of Commons which the Chairman of Committees shall report to the House is substantially the same as the Bill so amended.

MARRIAGES (IRELAND) BILL—(No. 40.)

(*The Viscount Midleton.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

VISCOUNT MIDLETON said, that in order to meet the objection urged to this Bill on a former occasion, the Preamble had been altered by omitting the words "Catholic Apostolic" as a description of the Church to the members of which the Bill applied, and substituting for it this description, "Any Church or Body who are not Roman Catholics, and who do not describe themselves as Protestants." Verbal changes had been made in the clauses to make them accord with the alteration in the Preamble. He believed the noble and learned Lord on the Woolsack was of opinion that those Amendments removed all objections to the Bill.

THE LORD CHANCELLOR said, that if one were hypercritical, he might perhaps find that the description was still somewhat faulty; but he thought there was no longer any substantial objection to it.

House in Committee accordingly.

Amendments made; the Report thereof to be received on *Monday* next; and Bill to be *printed* as amended. (No. 75.)

REGISTRATION OF BIRTHS AND DEATHS BILL—(No. 49.)

(*The Earl of Morley.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF MORLEY, in moving that the Bill be now read the second time, said, it was almost precisely the same as that which he introduced to their Lordships' House last year. It was passed by their Lordships, but owing to pressure of Business, was stopped in its progress through the House of Commons. The main object of the Bill was to make the registration of births and deaths compulsory in England as it was already in Scotland and Ireland. The Sanitary Commissioners and other authorities were of opinion that such a provision was very desirable. The Act which at present regulated the registration of births in England—the 6 & 7 *Will.* IV., c. 86—attached no penalty to the omission to register a birth, and it was not compulsory therefore on the relatives or any other person to give information to the registrar; but since the passing of that Act compulsory Registration Acts had been passed for both Scotland and Ireland. The consequences of this omission in the case of England had been found to be very unsatisfactory. By the present Bill the number of informants upon whom the duty of registering the births was thrown had been considerably extended. The duty of registering a birth was imposed in the first instance upon the father or mother; but besides the parents of the child, the occupier of the house in which to his knowledge the child was born, each relative of the child or other person present at the birth and the person having charge of the child were included in the list of informants. Notice was to be given to the registrar within 42 days. Where from any cause a birth had not been duly registered the registrar might, after the expiry of 42 days, require any of the persons specified as informants to attend at his office and give the necessary information. The period within which gratuitous registration might take place was enlarged from six weeks to three months. After the expiration of 12 months no birth was to be registered without the written authority of the Registrar General. The next portion of the Bill dealt with the registration of deaths. This was at present complied with in a more faithful manner than was the registration of births—not that it is directly compulsory as in Scotland and Ireland, but for this reason—burial must follow death, and any person who buries a body without receiving a certificate from the registrar that the death had been duly registered, or an order from the coroner, must give the registrar notice of the fact that he has buried a body; and if he omits to give this notice he renders himself liable to a penalty of £10. But in many cases there was no statement as to the cause of death; and, in order to prevent such omission, there was in the Bill a provision that the medical practitioner who had attended the deceased person in the last illness should certify as to the cause of death. It was further provided that where no medical practitioner had been in attendance the registrar should withhold his certificate for burial until he communicated with the coroner, and should not issue his certificate until the coroner had signified that he did not think it necessary that an inquest should be held. Another portion of the Bill dealt with the registration of deaths at sea, which was at present regulated by four or five different Acts of Parliament, some of which were conflicting. Clause 32 of this Bill would consolidate the whole of the enactments relating to this subject. It enacted that the Master of every British Ship shall, under penalty of £5, enter into his log book any death that might occur on board, with the particulars set forth in a Schedule to the Bill; this entry was to be sent to the Registrar General of Shipping and Seamen, who was to send it to the Registrar General of Births and Deaths, who was required to enter it in a Marine Register book. The question of the registration of still-born children was one which had engaged considerable attention, and had been strongly urged by the Sanitary Commissioners. After a consideration of the subject the Government were of opinion that they could not give effect to the recommendation of the Sanitary Commission, and introduce into the Bill a provision for the registration of such births. Such a registration would involve difficult and delicate investigations which many in the position of the registrars would not be capable of undertaking; and, moreover, in many cases a registration of such births would be useless for any administrative purpose; at the same time it was felt to be desirable to do whatever could be done to check infanticide and to prevent children born alive from being buried as still-born. Under a section of the Bill to which he had already alluded, the persons liable for the registration of the birth would be liable to one penalty if they had neglected to register the birth, but they would be subject to a second and more severe penalty if they buried without a certificate a child which had been born alive, and the making of a false declaration on the matter would be treated as a criminal offence, involving punishments which might amount to penal servitude.

Moved, "That the Bill be now read 2ª."—(*The Earl of Morley.*)

The Duke of RICHMOND said, he did not mean to oppose the Motion for the second reading; but, as some of the arrangements provided by the Bill were of a very complicated character, he hoped the noble Earl would allow full time for a consideration of the details before their Lordships were asked to go into Committee. He did not at present see what very great difficulty there would be in the registration of still-born children. Were the conditions in this Bill respecting the registration of births the same as those existing in Scotland and Ireland? If the systems in operation in Scotland and Ireland were found to answer well, he did not see what good reason there was for introducing anything more complicated here.

LORD REDESDALE thought it was to be apprehended that the number of informants under this Bill would lead to confusion by extending the responsibility too widely.

THE EARL OF MORLEY said, the conditions imposed by the Bill were not precisely the same as those existing under the Irish and Scotch registrations. It was hoped that the changes which were proposed to be made would be an improvement on the regulations in operation in those two countries. As no doubt the parents of the child would in the vast majority of cases register the birth, he did not think there was any reason for the apprehension of confusion suggested by the noble Lord the Chairman of Committees. He would fix the Committee on the Bill for such time as their Lordships might think most convenient.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 8*th of May* next.

House adjourned at a quarter before Six o'clock, 'till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, 24*th April*, 1873.

MINUTES.]—WAYS AND MEANS—*Resolutions* [April 7] *reported.*

WAYS AND MEANS—*considered in Committee*—SUGAR DUTIES.

PUBLIC BILLS—*Ordered—First Reading*—Local Government Board (Ireland) Provisional Order Confirmation * [139].

Second Reading — Conveyancing (Scotland) [108]; Oyster and Mussel Fisheries Order Confirmation* [131]; Pier and Harbour Orders Confirmation * [132].

Committee—Register for Parliamentary and Municipal Electors (*re-comm.*) [105]—R.P.

Committee—Report—Gas and Water Provisional Orders * [126]; Fairs Act (1868) Amendment* [125-138].

SPAIN—INTERNATIONAL LAW.

QUESTION.

MR. STAPLETON asked the First Lord of the Treasury, Whether, inasmuch as it appears from the opinion given by the Law Officers of the Crown to the Secretary of State for Foreign Affairs that the law is neither sufficiently clear nor strong enough to enable the Government to prevent persons in this Country from inviting and collecting voluntary contributions of money and materials to be employed in fomenting civil war in Spain, he will apply to Parliament to pass an Act conferring power on the Government to put a stop to proceedings which are calculated to disturb the friendly relations so long existing between this Country and Spain, and which may give rise to claims analogous to those recently preferred by America and admitted by this Country, although, in the opinion of our Government, they rested only on the omission of acts to the performance of which we were not bound by International Law?

MR. GLADSTONE: The Question, Sir, which has been put to me by my hon. Friend touches a subject of very great delicacy and of very great difficulty, as well as of very great importance, and I felt the difficulty before, when, in giving a very short answer to a Question upon the same subject, I conveyed my reply in terms perhaps too sharply defined. The state of the law was then generally described as we are advised it exists. There has been since that time some public discussion adverting to the fact that the view of the law, or at least the verbal expression of that view, has not at all times been quite uniform on the part of the various Law Officers of the Crown, and in particular reference has been made to an opinion given by the Law Officers in the time of Mr. Canning with reference to certain subscriptions which were then being levied, I think, for purposes connected with the very same country which has afforded my hon. Friend the occasion of his Question. Generally, the opinion given then was to the effect that that proceeding was not according to law; but it was limited in an important manner by two qualifications, which I quote from the documents of the period. The first of these was that a foreign Government would not, in the opinion of the Law

Officers of 1823, be entitled to consider such a subscription as constituting any act of hostility on the part of the British Government; and the second referred to that which is really the practical question in the matter, much more than an abstract inquiry about legality—namely, the possibility of repressing by prosecution. The Law Officers of that date advised that it was not likely such a measure as an indictment founded upon this subscription would be successful; and I believe they could not find that at any period an attempt to bring home an offence, if offence there be, by indictment had been made. That may be enough to say on the subject of variation, if there be a variation, of opinion. I said on the former occasion that it was of course impossible for us to go beyond the law. If my hon. Friend asks me whether I state that simply as wishing it to be understood that we look with approval or indifference upon subscriptions of this kind, I venture to say to him that that is as far as possible from being the case. Subscriptions of this kind, in the present instance perhaps very particularly, but also as a general rule, are in our judgment open to great objections—first of all, because they tend to create causes either of complaint or of estrangement between friendly Governments; and, secondly, because they sometimes have the effect of grossly misleading the opinion of Europe, or of many portions of Europe, as to the state of opinion in this country. For instance, we are given to understand in this particular case that many persons in Europe have been led to believe, in consequence of the fact that an advertisement has appeared in some newspaper calling for subscriptions to support the Carlist rising in Spain against the Government which is, at all event provisionally, in a certain sense, established, that on that account the feeling of the British Government and of the British nation is favourable to such rising. I believe there could not possibly be a grosser error. The desire of this country is always that the peace of foreign countries may, if possible, be preserved; and on this occasion I am quite sure, with perhaps the exception of some small minority, the people of this country regard with very great aversion the bloodshed which has been caused in Spain in connection with this rising as an aggravation of the political difficulties of the country. And the raising of a mere handful of money, perfectly insignificant in reference to the question, does thus become the cause of very serious mischief. I have now, so far as we are justified, expressed our opinion on the subject; and with regard to the practical question I can truly say, although we were advised that the simple act of contributing or asking for subscriptions did not of itself constitute a punishable offence, it was by no means intended to go so far as to say there were no circumstances under which subscriptions of that kind might be taken notice of in proceedings at law, and might form part of the subject matter for the cognizance of a Court. As far as the views and intentions of the Government are concerned, my hon. Friend knows very well that, independently of the offences which have been created by a Statute, there is a general principle of Common Law in the country applicable to the duty of a subject of this country, which requires him to respect the peace of the dominions of a Power with which Her Majesty is at amity; and whenever information is given to the Government, or obtained by the Government, from which there may appear to be any reasonable ground of expectation that an indictment for an unlawful conspiracy to aid in an invasion or in the disturbance of the peace of a foreign country with which Her Majesty was at amity—whether it be by the contribution of money for the purpose or in any other manner,—whenever there is reasonable ground to believe that such an indictment can be maintained, then would be the time when Her Majesty's Government would think it their duty and would be perfectly prepared to vindicate the law of the country. With regard to the alteration of the law, that is a very serious matter. An alteration of the state of the law raises many important considerations, two of which are these—first, we have recently been engaged in a very solemn and deliberate proceeding with reference to the re-casting of the Foreign Enlistment Act, and my hon. Friend, I am sure, will at once perceive it is not desirable that proceedings of that kind, or changes of that kind, should be made from day to day; they ought to be founded upon very grave considerations, and upon a very clear case, with a clear computation of the consequences to which they may lead. And, moreover, there is always the risk in cases of this kind of giving a factitious importance to things in themselves insignificant. I have gone somewhat beyond the limits of an answer to a Question, yet I am quite sensible that what I have said is a very inadequate statement upon a subject of very great importance and delicacy. I assure my hon. Friend, proceedings of this kind will be carefully watched by us. I hope he will not be surprised I cannot give a pledge to propose a definite alteration of the state of the law on the subject; but certainly attach great importance to the conviction which I entertain, and which we all entertain, that these proceedings are emphatically disapproved by the general and almost unanimous sentiments of the people of this country.

THE MASTERSHIP OF THE ROLLS—APPEAL—QUESTION.

Mr. GREGORY asked the First Lord of the Treasury, Whether he is aware that, in cases decided by the Lord Chancellor sitting for the Master of the Rolls, the party against whom judgment is to be given is deprived of his right of appeal to an intermediate tribunal; and, when he expects to be able to put an end to this and other inconveniences arising to the suitors from the vacancy in the office of the Master of the Rolls?

Mr. GLADSTONE, in reply, said, there could be no doubt the Lord Chancellor was qualified, according to what he thought was required by the public interest, to hear cases in Chancery either in the first instance or upon appeal, and not long ago it was a very common practice for the Lord Chancellor to hear cases of first instance. It was done by Lord Eldon, and, more or less, by later Lord Chancellors; but more recently the practice had been abandoned because of the increase of the Equity business and of the number of Equity Judges. Undoubtedly, the Lord Chancellor would not have made this arrangement under ordinary circumstances, because, although a suitor who would now get his judgment upon appeal, now got judgment from the same man in the first instance, yet it was rather reverting to a former practice than the continuance of a practice going on from day to day; but his noble Friend (the Lord Chancellor) was of opinion there was really a substantial ground why an arrangement of this kind should be made for a short time—no lengthened period—namely, pending the progress of the Supreme Court of Judicature Bill. That was a measure of so much importance, and so much affected the relations of the different Courts, and especially the position of the Court of the Master of the Rolls, that it appeared to him—and the Government concurred with him—that it would be desirable for a short time to suspend the appointment to that Court, and of course to make during the interim the best arrangements that circumstances would permit for carrying on the necessary business.

MERCANTILE MARINE—THE LIFE-BOAT AT BALBRIGGAN.

QUESTION.

Mr. HAMBRO asked the President of the Board of Trade, Whether the Marine Department of that Board have received any Report of the repeated capsizing of the lifeboat of Balbriggan Skerries, resulting in the death of nearly the whole crew; and, whether he has caused any inquiry to be made into that sad calamity; and, if so, what has been recommended, with a view to preventing similar losses by the capsizing of lifeboats for the future?

Mr. CHICHESTER FORTESCUE, in reply, said, that the Board of Trade had not received any Report of this unhappy accident before he saw the hon. Member's Question; otherwise an investigation would have been ordered at once. The hon. Member was probably aware that the Board of Trade had no right to receive a Report from the Lifeboat Institution, which was a private Society; but it had a right to receive a Report from the officers of the Coastguard, who for this purpose were under the Board of Trade. He was at a loss to know why a Report had not been made: but he had called for an explanation on the subject.

POST OFFICE—TELEGRAMS TO FOREIGN COUNTRIES.—QUESTION.

Mr. MUNTZ asked the Postmaster General, Whether it is the practice not to entertain any complaint respecting telegrams to foreign countries which may have been inaccurately transmitted, "unless the repetition of the message has been paid for by the sender;" and, if so, whether he would consider the propriety of rescinding or modifying that regulation?

Mr. MONSELL: Complaints, Sir, concerning telegrams which have been inaccurately transmitted abroad will not be investigated by the Foreign Administrations or Cable Companies unless the repetition of the message has been paid for by the sender, and it is not in the power of the Department to alter their regulations in this respect.

ARMY—CONTRACTS FOR GUNPOWDER.

QUESTION.

Colonel LEARMONTH asked the Surveyor General of Ordnance, Whether it is the fact that the last Government Contract for 7,000 barrels of pebble gunpowder has been given to a Belgian firm, in preference to any English firm which tendered for it; and, whether it is the fact that nearly all the pebble gunpowder previously supplied by this same Belgian firm has been rejected, as not fulfilling the requisite conditions?

Sir HENRY STORKS: Yes, Sir, a contract for 7,000 barrels has been given to a Belgian in preference to any English firm, the reason being that the Belgian price is 69*s*. per barrel as against 95*s*. on the part of all the English firms. It is not a fact that nearly all the pebble powder previously supplied by the same Belgian firm has been rejected. The Superintendent of the Royal Gunpowder Factory states that the percentage of rejections has, on the whole, been considerably less than that on the supplies of the English firms.

ARMY—INSUBORDINATION AT SANDHURST.—QUESTIONS.

Mr. TREVELYAN asked the Secretary of State for War, with regard to the insubordinate conduct of certain officers studying at the Royal Military College at Sandhurst, What steps have been taken to strengthen the hands of the authorities; and, whether there is any foundation for the report which has appeared in the public journals that, in deference to the sentiments entertained by the offenders, changes are to be made in the Educational Staff of the College?

Mr. CARDWELL: It is not intended, Sir, to make at present any change in the establishment at Sandhurst. The College is now in vacation, and will reassemble on the 1st of May. Before the separation, the students in question were warned that the penalty of improper conduct was removal from the service; and it must be remembered that these gentlemen hold their commissions on probation only, and that it is a condition precedent to their being confirmed that they shall pass satisfactorily through the course at Sandhurst. If there be any renewed misconduct, the Governor will at once send the offender back to his regiment, and report him to the Commander-in-Chief for removal from the service under the terms of the Royal Warrant, or to be dealt with as the circumstances of the case may seem to require.

Captain ARCHDALL wished to know whether the punishments to which the officers at Sandhurst were subject were inflicted in accordance with the Articles of War or the Regulations of the College?

Mr. CARDWELL: I think the hon. and gallant Gentleman had better have given me Notice of a Question on a subject of this kind. The punishments are inflicted, I imagine, under the Rules of the College.

ARMY—THE TROOP SHIP "SERAPIS"—THE SCOTCH FUSILIER GUARDS.

QUESTION.

Sir JOHN PAKINGTON asked the Secretary of State for War, Whether there is any foundation for the statement in the newspapers that immediately on the arrival of the "Serapis" troop ship from Bombay, after a voyage during which small pox, measles, and scarlet fever had prevailed in the ship and caused sixteen deaths, the 2nd battalion Scotch Fusilier Guards was sent in her from Gravesend to Dublin, in disregard of the remonstrance of the surgeon of the regiment, who urged that at least a month should be spent in cleansing, airing, and fumigating the ship?

Mr. CARDWELL: I am informed, Sir, that as soon as the *Serapis* arrived, the Quartermaster General, having seen in the newspapers a statement of sickness on board, sent to the Admiralty to know if there was any reason why the

Guards should not be allowed to go in her, and heard, in reply, that, in consequence of measles on board, orders had been given thoroughly to disinfect the ship, which had been done, and she had been repainted inside and out. All the bedding was landed, and fresh bedding taken on board. Major Blundell, the commanding officer of the 3rd Hussars, reported personally to the Quartermaster General that they had a most prosperous voyage; that measles had broken out and spread through the families, but generally in a mild form; and that no other contagious or infectious diseases had declared themselves. Nothing is known of any protest of the surgeon of the Scotch Fusilier Guards.

POST OFFICE—GLASGOW POST OFFICE.

QUESTION.

Mr. ANDERSON asked the Postmaster General, Whether any application has been made by the authorities in the Glasgow Post Office for additional force in the sorters and letter carriers' department, and for additional postal facilities for that city; if so, whether the application is to be acceded to, and when?

Mr. MONSELL: Sir, in answer to the Question of the hon. Member, I have to say that arrangements for increasing the sorters and letter-carriers, and providing the public of Glasgow with additional postal facilities, have been sanctioned, and will be carried out as speedily as possible.

THE RAILWAY AND CANAL COMMISSIONERS' COURT.—QUESTION.

The O'DONOGHUE asked the President of the Board of Trade, Whether, in the Court of Commissioners under the provisions of the Railway and Canal Traffic Bill, if passed into law, members of the Irish and Scotch bar, Irish solicitors, and Scotch writers to the signet will have the right to be heard and practise equally with English barristers and English attorneys in all matters coming before the Court?

Mr. CHICHESTER FORTESCUE in reply, said, that there was nothing in the Bill to prevent the gentlemen referred to in the Question of the hon. Member from practising before the Commissioners. This was, however, one of the matters which would have to be dealt with by the general orders of the Commissioners themselves, and no general orders had yet been drawn up. Those orders would be laid on the Tables of both Houses for the sanction of Parliament.

INDIA—THE BURMESE EMBASSY.

QUESTION.

Mr. EASTWICK asked the Under Secretary of State for India, Whether it is the fact that the Chief Commissioner in Burmah will not accord a salute to the Burmese Embassy, though one has been given in England, Calcutta, and Ceylon; and, if so, whether he will state the reason?

Mr. GRANT DUFF: In reply, Sir, to my hon. Friend, I have to say that we have no official information which in any way bears upon the matter about which he asks; but we are making inquiries with regard to it.

POST OFFICE.

POSTAL ARRANGEMENTS WITH THE ARGENTINE REPUBLIC.—QUESTION.

Mr. W. H. SMITH asked the Postmaster General, Whether he is aware that the Argentine Government has given notice of the withdrawal, on the 1st July next, from the English and French Consuls, of the privilege of receiving and despatching bags of letters by the Mail Steamers of their respective Countries: Whether any steps have been taken to prevent any threatened large increase of the already high rates of postage to the Argentine Republic; and, whether it is proposed to enter into any postal convention with that Government?

Mr. MONSELL: Sir, the Argentine Government have issued a decree withdrawing concessions previously made in favour of the French and British Post Office agencies in Buenos Ayres, and requiring that all letters sent out of the Republic after the 1st of July next shall be posted at the local Post Office. It is impossible for us to prevent the Argentine Government from levying any Argentine rate of postage to which such letters may be liable by the Laws of the Republic, and it is not proposed to enter into any postal Convention with that Government.

WAYS AND MEANS—REPORT.

Resolutions [April 7] *reported.*

Motion made and Question proposed, "That the Resolutions be now read a second time."

SIR HENRY SELWIN-IBBETSON, in rising to move—

> "That, in the opinion of this House, the Brewers' Licence Duty is unfair and oppressive in its operation, and should have been considered by the Government in the remission of Taxation,"

said, that he doubted whether the proposals of the Government were regarded with as much satisfaction at the present moment as before the Recess; for himself, he should prefer that the Government should have met the payment of the Alabama Claims in the present year. In a time of great financial prosperity it was hardly satisfactory to seem to be unable to meet a payment of this amount, and it was not upon the future that a debt of that kind should be thrown. It was difficult to say a word against the reduction of the income tax, in regard to which impost so much discontent existed throughout the country. It was not felt to be so oppressive by persons of large means, as by those who had only small and precarious incomes. Instead of making a difference between Schedule D and the general taxpayers, as some recommended, he should like to see an attempt made to raise the amount of exemption either to £150 or £200. In the year 1869, the persons paying on incomes between £100 and £200 were 260,445, and the amount paid by them was £391,400. That sum would represent the loss of a remission of taxation on incomes of that amount. If the exemption went up to £400, and if upon incomes of that amount £200 were remitted, the loss would be 152,250, making a total of £543,650. A remission of that kind would have gone far to remove the complaints which at present existed. With respect to the remission of a part of the sugar duties, he regarded it with some surprise, remembering that on the remission of the duties in 1870, the Chancellor of the Exchequer stated that the duty collected amounted to £5,507,000, with a consumption of 11,796,000 cwt. of sugar. The Chancellor of the Exchequer then said—

> "I do not think it would be an advisable course to dally and trifle with such a consumption as this. The trade would suffer from such treatment, as it has suffered in past years from anticipations of change. . . . . I think the best plan is to make a good sweeping change once for all, and let sugar have rest."—[3 *Hansard*, cc. 1642.]

The right hon. Gentleman went on to say—

> "The change I propose to make is to reduce the duty on sugar one-half. . . . . I wish it to be clearly understood that, in making this proposal, I am not preparing the way for either further reduction or for abolition, but that I have gone as far as I intend, and make this declaration in order to give stability to the trade, and free it from periodical annoyance, owing to apprehensions of change."—[*Ibid.*]

If it were thought that the reduction now proposed were final, something might be said for it; but would it not be argued the first time there was a surplus that the expense of collecting the remaining duty was so great that it was not worth while to go on levying it? In that case the House might look upon the reduction of half the sugar duties as practically involving the loss of £3,500,000 of revenue. The Chancellor of the Exchequer justified the reduction by stating that it would largely benefit the consumer—but he (Sir Henry Selwin-Ibbetson) believed it would not benefit the consumer in the least. Every trader whom he had consulted told him that it would be impossible to make any reduction in the retail price, and that the trade looked forward to recouping themselves for the losses they had sustained on this article in the past. If the reduction would not benefit the consumer, the ground was cut from under the Government, who were endangering the prospects of our financial future to no end. If the Government had proposed to meet the whole of the Alabama Claims out of the surplus of the year, he should have hesitated to propose his Amendment, or to put any impediment whatever in their way. What was the origin of the Brewers' Licence? In 1862 a great demand was made to get rid of the hop duty, which was described by the right hon. Gentleman the present Prime Minister as the darling child of protection and monopoly. The right hon. Gentleman was not then in the happy position of the present Chancellor of the Exchequer, because, as he said, his surplus was a nominal one. In the debate which occurred on the 3rd of April, 1862, the right hon. Gentleman said that taken at the outside the surplus amounted to not more than £150,000—that the hop duty at most produced £300,000—that year £260,000, and that he could not then, having regard to the slenderness of the surplus, propose its repeal. But, added the right hon. Gentleman—

> "The question arises how far it may be possible to substitute, with equity to all parties, some other form of impost, by way of commutation, which would secure to the revenue the greater part of what it now gets,"—[3 *Hansard,* clxvi. 478.]

and the proposal of the right hon. Gentleman was to re-adjust the scale of brewers' licences and impose a duty on private brewers, so as to secure an equivalent for the hop duty. In other words, what was proposed was to secure a revenue of £300,000 at the outside. They all knew, it was seen, that from a variety of causes it would be almost impossible to collect the tax on private brewers, and that part of the scheme was abandoned. Consequently, the right hon. Gentleman could not have contemplated imposing on the trade a tax greater in its aggregate amount than the £260,000 yielded by the hop duty. Now what was the result? Why, that the last Return showed the tax to produce not £260,000, but £435,000, or nearly double the amount contemplated by the right hon. Gentleman. The trade complained, and bitterly, of this exceptional tax, for, with the exception of the tobacco duty, no trade was hampered with such a tax. It was, in fact, a second income tax, with this difference—that the income tax dealt with profits, while this tax was levied before any profit had been or could be earned. What with notices and other hindrances, the trade was hampered in every possible way. It had been pointed out by Mr. Thompson, in the deputation to the Chancellor of the Exchequer and the right hon. Gentleman the Prime Minister, that the tax was an incentive to fraud, as a man might be tempted to put in a greater amount of malt than the amount named in the certificate, and take his chance of the fact being found out. Such an incentive ought not to be allowed to exist. If such a tax were imposed upon one trade, there was no valid reason why it should not be imposed on another. When the wine duty was reduced from 5*s.* 6*d.* to 1*s.* no equivalent duty was placed on the wine merchant. A wine merchant who desired to import or sell a cask of wine paid 10 guineas, and he paid no more whatever number of casks he sold or imported. A distiller, who was more akin to the brewer, paid a double duty —namely, 10 guineas for his licence and 10 guineas for the privilege of rectifying. That was a fixed tax, and enabled him to deal with any quantity. But look at the operation of the tax on those brewers who were doing a small trade. With them it was mainly a question of dealing with credit. If they received a £20 order they had to pay away £4 of the amount to the Excise, and they ran the risk at the same time of not getting the £20. It was not because the brewers were not agitators that the question should not be considered on its merits. When the hop duty was removed, one of the arguments of the right hon. Gentleman, the then Chancellor of the Exchequer, the present Prime Minister, was that its removal would, by cheapening the article, benefit the brewing trade; and, if he remembered aright, his hon. Friend the senior Member for Derby (Mr. M. T. Bass) was one of those who encouraged that idea. He thought he might appeal to his hon. Friend, and ask him whether his experience was not that in 10 years the price of hops had risen 22 per cent—[Mr. M. T. BASS: Hear, hear]—and consequently that he had gained no benefit from the reduction of the duty, while he had to bear his share of the duty imposed as an equivalent. In 1862 the Prime Minister said that the malt duty was an additional cost of 20 per cent to that article. But, practically, the payer of the malt duty was the brewer, as he had to pay the farmer before he could commence his business. The brewers had another grievance, for, in 1840, in a time of depression, 5 per cent was added to all Excise customs. In a few years when prosperity returned, that duty was taken off everything but malt, so that it would appear that Government thought they could place on the shoulders of the trade almost any tax they pleased. An idea, he understood, found favour in high quarters to the effect that the recommendations of the Committee of 1868 should be carried out, and a boon given to the agricultural interest by again dealing with the licence duty. The drawbacks on the exportation of beer under the present malt duty showed that such a plan would be unworkable, for the drawbacks were based on the specific gravity, which was determined by a somewhat complex process. The Exciseman would thus have to take a sample from every brewery of every kind of beer made there in order to be subjected to this process, and the expense of collecting such a tax would render it absolutely unworkable. He desired a reduction of the malt duty, but an attempt to commute it into a beer tax or its entire repeal would not benefit agriculturists so largely as they anticipated. It was supposed that because the repeal of the hop duty was followed by a rise in the price of the article, the remission of the malt tax would have a similar effect on barley; but the farmer would have mainly to look to the brewer for the sale of his barley, and the present restrictive duty on sugar, designed to preclude its unfair competition with malt, obviously could not then be retained; the consequence would be that, with barley at an average price of 40*s.* per quarter, sugar would be used in preference to malt for an immense amount of beer intended for home consumption, though for beer brewed for exportation malt would still have to be relied on. He, therefore, advocated a reduction in the malt tax conjointly with an alteration in the sugar duty, in order that, by the removal of restrictions on the trade, the public might obtain a better and purer article. He had not taken up this matter as a partizan of any particular trade, but from a feeling that the brewers' licence was an indefensible impost, and, judging from past experience, he believed that the Chancellor of the Exchequer would not refuse to re-consider a question of this kind. Indeed, if rumour were to be relied on, the right hon. Gentleman had at almost the last moment re-cast his present Financial Scheme. The hon. Baronet concluded by moving his Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Brewers' Licence Duty is unfair and oppressive in its operation, and should have been considered by the Government in the remission of Taxation,"—(*Sir Henry Selwin-Ibbetson,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GLADSTONE said, he did not know whether the House wished to enter into a discussion of the Amendment, for he did not see much interest displayed in it, and the hon. Baronet himself had not very strongly advocated it, having said more on the malt tax than on the brewers' licence duty. It would be the duty of the Government to vote for the Main Question, and to set aside this Motion as far as their votes were concerned, and he hoped the House would agree with them in that view. It appeared to him as if the hon. Baronet was a little afraid of his own Motion, for he had been so very shy of the proper subject of his speech that it seemed as if he thought the ground dangerous, and as if he was afraid of bringing forward a good argument lest he should carry the House with him, and induce them to frustrate the proposition of the Government for remitting a penny of the income tax. It was only on that ground he could account for the hon. Baronet having so carefully avoided the specific discussion of the case of the brewers. He would himself say but a few words on that case, because a deputation from that very influential and respectable body had recently waited upon the Government to urge their claims upon them, and he wished to repeat in the House what was said by the Government on the occasion of that interview. His hon. Friend the Member for Derby (Mr. M. T. Bass), who, he believed, had a most just claim to be the guardian of that class, and who had not yet entered into that discussion, was fairly entitled to expect that the Government should not give a silent vote on a question of this kind. He took upon himself to say these few words simply from the fact that he was practically the author of the suggestion adopted by the House in 1862, when the hop duty was repealed and the brewers' licence substituted. The proposal of the Chancellor of the Exchequer was a distinct indication that he had no complaints to make in respect of the brewers' licence; because it was the duty of the Government on these occasions, and upon every other occasion when there was a surplus available for the remission of taxes, to examine with the utmost care in their power the respective claims which could be justly made to that surplus. They had to ask themselves how they could best employ the money which it was in the power of the House to give away, in the manner that would confer the maximum of public benefit. They had to look out, therefore, not for claims which could make a fair case in their own support, but for the very best claim. It was not enough that a case should be good, provided there was some case that was better; and having an available sum large enough to enable them to remit a penny of the income tax, his right hon. Friend (the Chancellor of the Exchequer) had felt—and the Government had felt with him—that it would be far better to apply that sum in its integrity for the purpose of reducing the income tax to a lower point than it had ever yet touched rather than to break up that sum in small remissions, a variety of which might have been easily discovered, and which would all, no doubt, have been acceptable to somebody or other, but which would have been far less satisfactory to the public at large. He did not, however, wish it to be understood on the part of the Government that they held the brewers' licence to be distinguished for ever from all other parts of our taxation as irreformable. It could not be regarded as immutable. The claims of those who recommended its repeal were entitled to be heard from time to time, and compared with those which could be made in favour of other remissions; but he felt convinced the House would not be of opinion that the Government would be right in allowing an important plan like the Chancellor of the Exchequer's in respect of the income tax to be put on one side by employing the fund available for this purpose in any other way. The peculiar hardship alleged against the brewer's licence, it was said, was that it placed that trade under conditions such as were imposed on no other trade or calling. Now he admitted that there was no case exactly analogous to that of the brewers' licence; but then they must consider for what state of things the brewers' licence was substituted. It was substituted for the hop duty. In the long and animated discussions, of which the hop duty was the subject, in that House, the advocates of its repeal always strongly urged that the effect of the duty was to aggravate immensely the evil attaching to the very nature of the cultivation of the hop—namely, the extreme fluctuation of the crop and the almost more than corresponding fluctuation in prices; and they used eagerly to contend that the abolition of the duty, although it might not produce perfect steadiness of price, yet would greatly mitigate the evil of its extreme fluctuation. That argument had, he believed, been borne out in fact, and that since the duty had been repealed, the hop trade had been more steady than it was before. Although the price of hops was still uneven, yet there was not that immense variation which formerly existed. But that immense variation was a great evil to the brewer as well as to the public. It deranged his operations exceedingly. He remembered a friend of his, on a certain occasion when there was a very bad hop season, saying to him that the failure of of the crop would make a difference to him of £120,000 that year. That was to say, there would be that amount to the debit side of his account in the price of the materials for producing beer. Surely that was a great and serious inconvenience, because an increase of price at that time, in one of the particular constituents of an article like beer, did not admit of a corresponding adaptation in the price of the manufactured article. If that were so, though there might be something peculiar in the position of the brewer at the present moment, there had been something peculiar in his position before. He did not deny that the brewer might be inconvenienced by a tax of that description; but the House would have to consider whether it was not a great mitigation of the evil which had formerly existed, and whether the steadiness now attending his operations under the system of free trade had not been in the nature of a compensation, and a very considerable compensation, to the brewers. At any rate, it could not be said that under the operation of that burden the brewing trade of this country had dwindled or was dwindling. If their grievance was a heavy and a serious one, by some strange inversion of the laws of nature the brewers were a body who appeared to thrive under it. The computation was, if he remembered aright, that £260,000 would be yielded by the brewers' licences as a commutation for the hop duty; and it was part of the case of those who asked for the repeal of the brewers' licences that the duty being dependent on the quantity of hops used, they produced not £260,000, but £435,000. He did not mention that as a reason why the duty should not be removed; but it perhaps showed there was not that extreme urgency in the case, that strength of appeal *ad misericordiam*, that power of touching the feelings of the House, which there might be if under the operation of that legislation the brewers were really ground down to the dust. It was a perfectly fair case to be considered in future years, when other Finance Ministers or Governments, or when the House might think this claim should be preferred to other claims. He did not wish it to be supposed that this was a claim that should be passed by because it appeared to affect the interest of a particular class. He hoped that class would always get full justice at the hands of the House, and that there would be no disposition to thrust them out of Court simply on the ground that the proposed recipients of the boon were not very numerous; for, in fact, they were considerable in numbers, and of very great importance. The ground upon which the Government stood—and he had a strong suspicion that the hon. Baronet himself, notwithstanding his Resolution, had a strong sympathy with them—was that the proposition they made in respect to the income tax was a right proposal, and that the claim of the payers of the income tax for the remission of this penny which they had happily now the opportunity of offering was a better claim than any which could be made in respect to the brewers' licence; and therefore the Government had done its duty, as he believed the House would do theirs, by preferring the best claim to some other claim inferior in strength to that which the House was asked to adopt as the basis of an important part of their financial scheme.

MR. F. S. POWELL, in supporting the Amendment of the hon. Baronet, said, he could not admit that it was a sound reason for the retention of that tax that the hon. Member for Derby (Mr. M. T. Bass) was a rich man. Many rich people paid income tax; but that had not prevented the Government from proposing its reduction. He thought the arguments put forward by the hon. Baronet (Sir Henry Selwin-Ibbetson) were strong, although the Prime Minister might regard them as being weak. He hoped he should not be guilty of any discourtesy in saying that the right hon. Gentleman himself appeared to have somewhat economized his argumentative force on that occasion, and to have adduced but feeble grounds for the course he took. One objection to this tax was that it formed part of a special and peculiar system of taxation. It was a tax on the capital employed by the brewer in his trade, which must, therefore, be conducted under the continual superintendence and vexatious visits of the Exciseman. It also exposed the honest man to the constant danger of incurring penalties. There was, therefore, great force in the arguments which the hon. Baronet had urged for the repeal of the duty. He (Mr. Powell) hoped that the time was not far distant when the Government would consider the propriety as well as the justice of abolishing or modifying this tax.

MR. CRAWFORD said, he thought the right hon. Gentleman at the head of the Government was hardly just in his criticism of the hon. Baronet's speech. The hon. Baronet had stated sufficient reasons to convince him of the peculiar hardship under which brewers suffered by having their trade selected to bear exceptional legislation. He had adduced good grounds for his statement that this tax was "unfair and oppressive in its operation," and he (Mr. Crawford) hoped he would derive some comfort from the right hon. Gentleman's reply that the tax was not to be considered "unreformable." But if the hon. Baronet carried his Motion to a division he certainly could not vote for it. He could not concur in the last part of the Resolution—that the case should have been considered by the Government in the remission of taxation; for he had already expressed his opinion that the Government had dealt with their surplus in a fair and equitable manner towards all classes of the community. With regard to the proposed reduction of the sugar duty, the hon. Baronet seemed to think that the consumer would not derive any advantage from it; but he ventured entirely to differ from him on that point. On this subject a very interesting statement had appeared in one of the public journals, *The Pall Mall Gazette*, two days ago, headed "Sugar and Revenue," which showed in a very remarkable manner the effect of the last reduction of duty. In 1869, the last year of the old duty, the consumption of sugar amounted to 11,739,000 cwt. In 1870, when the reduction took effect, the consumption rose to 13,148,000 cwt.; in 1871, it was 13,167,000 cwt.; and last year it amounted to 14,308,000 cwt. The consumption per head of the population rose from 41 lb. to 47 lb. in 1871, and to 50½ lb. in 1872. He ventured to anticipate that the effect of the proposed reduction of duty would not be less remarkable. This was one of the very largest and most important industries that could be dealt with. The total annual production of sugar was calculated at 3,500,000 tons, and if they considered the capital engaged in its production, the shipping it employed, and the industries engaged in this country in preparing the article for consumption, he thought there was no commodity subject to taxation on the consumption of which a reduction of duty was likely to have a more appreciable effect than the article of sugar.

Mr. R. N. FOWLER said, he could not vote for the Motion of the hon. Member for West Essex (Sir Henry Selwin-Ibbetson), because he would be no party to any further remission of taxation. As he had stated when the right hon. Gentleman brought in his Budget, he would have been much better pleased if the Government had proposed to pay the whole of the Alabama Claims this year. He did not think it right to throw over any part of that payment until next year. The last year was one of exceptional prosperity; but it was not very likely that the next year would prove equally prosperous. As long as the present enormous price of coals continued, it could not be expected that the revenue would be maintained at the same figures next year. As to the income tax, although it was a very varying tax, there was, he considered, little hope of our ever getting wholly rid of it. If, however, the brewers' licence duty were once remitted it could never be re-imposed. Under the circumstances of the country, the Government ought to hesitate before sacrificing so large an amount of our revenue.

Mr. WHITBREAD said, he did not wish to prolong the debate after what had fallen from the Prime Minister. He desired, however, simply, and he hoped temperately, too, to place, in a few words, before the House what the brewing interest looked upon as the grievance of this licence. It was called a "licence," but it was nothing of the sort; it was a direct tax upon what the brewers produced. It was said to be a duty of 3*d.* a barrel on beer, but it was really a duty of 1*s.* a quarter on malt—for the Chancellor of the Exchequer charged it upon a portion of malt which he estimated to produce four barrels of beer, or, in other words, upon one quarter of malt; but if the quarter did not produce four barrels — which it did not — the Chancellor of the Exchequer charged the duty all the same. That was a part of the grievance. This tax, which in the aggregate was a heavy one, must fall either on the producer or the consumer, or both. If it fell on the producer, his contention was that the brewers' was the only trade taxed in that manner, and they asked the House to consider whether it was just or wise or politic to single out one particular trade and tax it in that exclusive way. It did not matter that some brewers were rich; that was no reason for taxing them exclusively. If that doctrine were good for anything, let it be applied to bankers, cotton-spinners, and others; but let not brewers be singled out specially for exceptional taxation. That was their strong point, and he hoped some sense of the justice of their claim would be produced in the minds of the Prime Minister and the Chancellor of the Exchequer. The right hon. Gentleman (the Chancellor of the Exchequer) had contended that the duty fell upon the consumer. Well, if it fell on the consumer, how did it affect him? It was too small in itself seriously to alter the price of beer; but it might alter the quality. Therefore, if it fell on the consumer, it fell in such a way that he got a worse article, and if the tax were taken away the consumer would by the operation of the same law get in better beer the benefit of the abolition; but if the duty fell on the consumers, it fell on one class only of them; it did not touch the private brewer. And who was the private brewer? Not the million who lived closely packed in towns, for they had no means of brewing for themselves. Private brewers must be men who owned large premises—country gentlemen, for instance, and large farmers, who paid some of the wages of their labourers in beer. That class did not pay an extra shilling a quarter upon their malt, as the trade did. He invited the Chancellor of the Exchequer to consider this aspect of the case, and if he did he would find that the effect of this duty was to tax the beer of the million while that of the few was allowed to go scot-free. He felt it hopeless to run the case of the brewers against the reduction of the income tax this year. They had waited patiently hitherto, and all those claims which stood in front of them had been dealt with. Having stated their grievance temperately, he thought it was time their case should be taken into consideration. He did not see any other claim which stood before. Lastly, if this tax fell, as it might probably do, partly on the producer and partly on the consumer, it would be doing an act of justice to the former to take away an exceptional impost and conferring a great benefit on the latter by improving the quality of his beer.

Mr. CORRANCE admitted that this impost took the nature of a malt tax, and that the agricultural interest would be considerably benefited by its removal. Under ordinary circumstances, therefore, he should be disposed to give the Motion of his hon. Friend (Sir Henry Selwin-Ibbetson) his unqualified support. But he could not support it on this occasion, because whenever the question of the malt tax was debated, he always found the brewers putting in their plea—he would not say an antagonistic one, but it appeared to take that form from the manner in which it was advanced.

Mr. W. FOWLER said, he knew no trade which was treated in the same way as the brewing interest in this matter, and he could only account for it on the supposition that brewers were considered fair game because they were rich, or that there was something evil in the trade. But if they were taxed exceptionally because they were rich, why was not Lombard Street specially taxed on the same grounds? When the hop duty was taken off, the present duty was put on under the idea that the brewers would be greatly benefited by the removal of the hop duty. But the price of hops had become higher ever since the abatement of the duty. The Prime Minister was not quite correct in stating that there were no great fluctuations in the price of hops, because he happened to know that a great brewer had stated that the increased price of hops had, on one occasion, made a difference to him of something like £100,000 a-year. If this was a bad trade, that ought to be discouraged by taxation, they must go further and put a tax on distilleries, or put the trade down altogether. The brewers had great cause of complaint in the fact that the private brewers paid no tax. He believed that the Colleges of Oxford and Cambridge were exempted from taxation for the large amount of beer they brewed. The tax was unfair and oppressive; but he would be no party to any Motion that would tend to increase excessive drinking. The only effect of taking this tax off would be that it would give the consumer something better for his money. A very good case had been made out; he hoped, however, the House would not divide, but would rest content with the assurance that the matter would receive the careful consideration of the Government.

Mr. J. HARDY suggested that relief might be given by commuting the tax.

Mr. LOCKE said, the speech of the right hon. Gentleman the Prime Minister would be satisfactory to the brewers, for, instead of saying anything in favour of the tax, he had given the House to understand that it was by an omission of the Government rather than anything else that the tax was allowed to continue. It was inconvenient to have a question of this kind left in an unsatisfactory position, and he would appeal to the Chancellor of the Exchequer to give some intimation when the tax would be dealt with by the Government, and save the House from going to a division upon the question. It appeared to him that the hon. Member for London (Mr. Crawford), who wished for a reduction of the sugar duty, never read *Punch*, or he could not have failed to notice the improbability of the reduction of the duties benefiting the consumer. That was the opinion of *Punch*, because when a lady goes to purchase her sugar, and expects a reduction in the price, the editor of *Punch* makes the grocer say—"Yes, but I have not raised the price yet." It was often the case that a reduction of taxation did not put anything into the pockets of the consumers. The best settlement of the question would be to trust to the assurance of the Chancellor of the Exchequer that, being much impressed with the justice of the demand, he would accede to it as early as possible.

Sir GEORGE JENKINSON said, he could not trust to the assurances of the Chancellor of the Exchequer, since he had reduced the sugar duties notwithstanding his pledge of three years ago that he would never again touch them. He should protest against any further reduction of those duties until some reduction had been made in the duty on malt.

Mr. MACFIE objected to this interpretation of the Chancellor of the Exchequer's statement, and expressed a conviction that the consumer would ultimately get the advantage of the reduction. Possibly the fact of the refiners having stopped the supply would send up the price for a short time, but the consumer would ultimately benefit. He did not think, however, the consumer of beer had any chance of benefiting by the repeal of the brewers' licence. It would be unwise to reduce the duty on intoxicating drinks, as that would necessarily lead to increased intemperance.

Mr. LIDDELL said, he did not look with any favour upon the financial proposals for the present year, inasmuch as he objected, under existing circumstances, to an abandonment of revenue which could not be replaced. The Chancellor of the Exchequer had offered to sacrifice half the sugar duties, and now a further proposal was made which, if agreed to, would lead to an additional loss of £500,000 of revenue. The House was aware that Parliament was bound by the Resolution which was come to last Session on the subject of local taxation; and therefore it was unreasonable to expect that the financial proposals of the Chancellor of the Exchequer could be agreed to until the intentions of the Government with regard to that very important subject were known. It was true that the Government were not bound by the Resolution to which he had referred, because they had opposed it; but they were pledged—and the pledge had been renewed quite recently—to the adoption of a principle which involved the abandonment of Imperial revenue for local purposes, but with the extent to which they were prepared to carry that principle the House was unacquainted. Under these circumstances, the House ought to decline to sanction the proposal for abandoning such a large amount of revenue derived from indirect taxation until they were informed what the views of the Government with regard to local taxation were. And he ventured to remind them again that such revenue once parted with was not easily replaced. He should vote against the Motion.

Sir HENRY SELWIN-IBBETSON said, that after the expression of opinion that had been elicited from the Prime Minister, the best course he could adopt was to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

The CHANCELLOR of the EXCHEQUER thought that the most convenient course that he could adopt would be to move that the Resolutions with regard to the income tax, the tea duties, and the Exchequer Bonds should be agreed to, while those relating to the sugar duties should be omitted with the view of their being recommitted to the Committee of Ways and Means, in order that the necessary alterations might be made in them with respect to dates.

First Resolution (Income and Property Tax) *agreed to.*

Second, Third, and Fourth Resolutions, read a second time, and *re-committed* to the Committee of Ways and Means.

Fifth Resolution (Tea Duty) and Sixth Resolution (£1,600,000 Exchequer Bonds) *agreed to.*

Seventh Resolution (Payment of Exchequer Bonds) read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

Mr. HERMON said, he wished to know, if the Resolution was formally passed, what opportunity there would be of discussing it afterwards? They were about to do, by the creation of Exchequer Bonds, what no commercial man would think of doing—namely, borrow with one hand what they intended to pay with the other. He would much rather there should have been no remission of taxation than that the country should be obliged to borrow to pay the sum required to meet the balance on the Alabama Claims. Objecting as he did to the proposals of the right hon.

Gentleman, he begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Hermon.*)

Mr. SCLATER-BOOTH said, he hoped that the right hon. Gentleman would consent to the adjournment of the debate, pecause it was impossible that the subject of the issuing of these Exchequer Bonds could be fairly considered until the House knew what the Government intended to do with regard to the sugar duties.

The CHANCELLOR of the EXCHEQUER said, the adjournment of the debate would only lead to delay. There would be another opportunity of discussing the matter, when the Bill was introduced for giving final effect to the Resolutions.

Mr. NEWDEGATE asked when the duty on tea would be practically remitted?

Mr. HERMON said, his hon. Friend the Member for West Sussex (Colonel Barttelot) intended to oppose the remission of the sugar duties, and therefore both subjects were before the House.

Question put, and *negatived.*

Original Question put, and *agreed to.*

Eighth Resolution (Interest of Exchequer Bonds) *agreed to.*

WAYS AND MEANS.

Then it was moved "That the House do now resolve itself into the Committee of Ways and Means."

Mr. HUNT said, this appeared to him the proper time to examine the Financial Statement of the Chancellor of the Exchequer, and the general plan which he had proposed for the financial year. He should have been glad to have made his observations at an earlier period of the evening; but the important Motion brought forward by his hon. Friend (Sir Henry Selwin-Ibbetson), had occupied a longer time than he expected. He did not by any means regret that Motion was brought forward; but the consequence was that the remarks which he felt it his duty to make to the House would have a very much smaller audience than would otherwise have been the case. He believed this was the fourth year in which the Chancellor of the Exchequer had been enabled to come forward on the Budget night with a large surplus in hand. It had been the right hon. Gentleman's happy lot to obtain a large surplus not only without imposing fresh taxation, but even with a considerable reduction of taxation, and his only embarrassment had been to know what to do with it. But there was one point in his statement with reference to the estimated revenue and the revenue actually received on which he (Mr. Hunt) wished to make a few observations. It was a very remarkable circumstance that this year the revenue exceeded the Estimates by no less than £4,781,000. He believed so large an excess of actual revenue over estimated revenue had never been announced by a Chancellor of the Exchequer—at all events, never since he had had the honour of a seat in the House. He could not see that this was a great merit in the Chancellor of the Exchequer. He thought it was the duty of the Chancellor of the Exchequer to estimate the revenue as well as the expenditure as closely as possible. No doubt the fault committed by the Chancellor of the Exchequer was a fault on the right side. It was his (Mr. Hunt's) unhappy fate to find revenue below estimate. At the same time, he (Mr. Hunt) could not view with indulgence the practice of considerably under-estimating the revenue, because when the practice became frequent it lessened the authority of the Chancellor of the Exchequer when he made his Statement to the House. If they found year after year that, from either excess of caution or excess of craft, the Chancellor of the Exchequer was in the habit of very considerably under-estimating his revenue, the faith of the House in the Chancellor of the Exchequer was very considerably lessened. When the right hon. Gentleman announced his Estimates a year ago, he (Mr. Hunt) thought he was reminded by many Members of the House that he was not sufficiently sanguine with regard to the amount he would receive; and he believed there was not a single Member of the House who did not believe his Estimates would be very considerably exceeded. One of the consequences of that large under-estimate of revenue was that there had been extracted from the pockets of the taxpayers a large amount of money which was not necessary for the service of the year.

He regarded that as a great vice in a Financial Statement. The right hon. Gentleman would, no doubt, say that by that course we had been enabled to reduce a large amount of duty. He (Mr. Hunt) admitted that it was a public advantage to reduce duty; but he denied that the end justified the means. If the Government intended to retain taxes so as to obtain a large surplus for the purpose of reducing duty, they ought to announce that purpose to the House of Commons. To use a common expression, the right hon. Gentleman had been doing evil that good might come. There was another matter on which he wished to criticize the statement of the Chancellor of the Exchequer, and that was with regard to the Exchequer balances. The right hon. Gentleman told the House with very considerable pride that the Exchequer balances during the four years in which he held the office of Chancellor of the Exchequer had been increased by £7,285,000. When he stated that, he ought to have explained that the increase of the Exchequer balances was only an apparent increase. With regard to £2,000,000 of those balances, the right hon. Gentleman said they were attributable to the fact that the repayment of certain loans had exceeded the advances, and that a certain amount of loanable capital which was out at interest had got back to the Exchequer. That was a matter more or less of accident. Next year the advances might exceed the repayments. But, as he (Mr. Hunt) had stated on a former occasion, the main apparent increase of the balances was owing to the change made in the time of collecting the taxes. By accelerating the time for collecting the income tax, the land tax, the house duty, the licence duty, and the assessed taxes, £4,000,000, or thereabout, had been brought into the Exchequer. That increase of the balances, therefore, he would call factitious. The way in which that increase of £4,000,000, of which the right hon. Gentleman boasted, had originated was very well known to him (Mr. Hunt), and to many Members of the House who had followed closely the course of our finances; but it was not known to all the Members who had not done so, or to the public out-of-doors. It was calculated to mislead many Members of the House and public opinion when the Chancellor of the Exchequer stated that the balances between April, 1869, and the present time, amounted to over £7,000,000, without giving an explanation of the matter. With regard to these balances, it appeared to him (Mr. Hunt) that, having extracted this money from the pockets of the taxpayers before the money was wanted, the taxpayers ought to reap some benefit from its lying at the Bank of England. That was a matter he had urged on the House before, and he thought it was worthy of the attention of the right hon. Gentleman. If the money was not wanted for the public service, let it remain in the pockets of the taxpayers; but if it was to be extracted before it was wanted, the Bank of England, which might make use of it, ought to pay interest on it. [Mr. CRAWFORD dissented.] He saw the hon. Member for the City of London shook his head; but the Bank ought certainly to pay interest on it. The right hon. Gentleman hitherto had paid no attention to that suggestion, and probably he would continue to think it ought not to be acted upon. He thought there was a very strange omission in the Financial Statement of the right hon. Gentleman. The right hon. Gentleman gave the House the total expenditure; but he never gave them the principal items of that expenditure. He estimated the total expenditure at £71,871,000, exclusive of half the Alabama Claims; but even now the House of Commons was without information as to the items constituting the expenditure. He should not forget in a hurry the animadversions of the Prime Minister in Lancashire upon the extravagance of the Government which preceded his own. The expenditure to which the right hon. Gentleman referred did not quite amount to £70,000,000. But now, having been in office four years, and having scrutinized the Estimates, so as to excite at times the ridicule of the country by the cheese-paring economies which were insisted on, the expenditure exceeded by £1,871,000 that of 1868. It was true that a part of this expenditure might be accounted for by certain changes in the services which did not appear in the Estimates. Thus the Telegraph Estimate, amounting to between £800,000 and £900,000, must be added, and the sum payable in respect of Army Purchase. But, making every allowance for these changes, the

Government which charged its predecessors with such gross extravagances had been unable to reduce its Estimates below those of 1868. He hoped that as hustings had unfortunately been abolished, the Prime Minister, when he appeared on the Greenwich platform or any other place, would do penance in a white sheet for the remarks he made during his Lancashire campaign. Turning now to the estimate of revenue during the current year, there was an extraordinary change in the course taken by the Chancellor of the Exchequer. In previous years he had been accused of excess of caution; and certainly he had either been over-cautious or anxious to under-estimate revenue, wishing to accumulate a large surplus. This criticism, however, did not apply to the right hon. Gentleman's Estimate for the current year; indeed, he had been warned that he was rather too sanguine. The right hon. Gentleman estimated an increased revenue of £8,230 in 1873-4 over the revenue of 1872-3, and in his exordium he congratulated the country on the fact that, notwithstanding the price of coal, the revenue had still kept up. The right hon. Gentleman, however, overlooked the fact that with regard to many of the larger enterprises in this country, the price of coal was not the price of the day, but the price under certain contracts which had now had time to run out. These enterprises would now, therefore, be greatly affected by the price of coal. Another point for consideration was the prospects of the next harvest. We had had the most remarkable season for seed-sowing he ever remembered. The farmers had not been able to sow a large extent of land, agricultural operations having been suspended by the wet; and the extraordinary rainfall was so general throughout Europe that we must expect the next harvest to be short, not only in England, but on the Continent. The Chancellor of the Exchequer ought, therefore, to have been a little more cautious in his Estimate of revenue for the current year. In his Budget speech the right hon. Gentleman mentioned a fact which seemed to show that the prosperity of the working classes had reached its zenith. Unfortunately, we looked to the consumption of ardent spirits as the test of that prosperity. Now, the right hon. Gentleman told the House that the revenue from spirits had increased £30,000 a week during the first six months of the year, but in the last six months only £20,000 a week. This diminution showed that the tide had turned, and, coupled with the high price of coal, the prospects of a bad harvest, and the difficulties of the labour question, it was a symptom which should have alarmed the Chancellor of the Exchequer and inspired caution in his estimate of income. Now as to the disposal of surplus. The right hon. Gentleman set down revenue at £76,617,000, and expenditure at £71,871,000, leaving a surplus of £4,746,000. He devoted £1,600,000 to pay half the Alabama Claims, remitted sugar duty to the amount of £1,430,000, income tax amounting to £1,425,000, and £30,000 by abolishing duty in the case of hotel waiters—a concession to the licensed victuallers which might be looked upon as the contribution of the hon. Member for Shaftesbury (Mr. Glyn) to the Budget of the year. But when the Chancellor of the Exchequer had so enormous a surplus to dispose of, he (Mr. Hunt) could not help joining with those who condemned the proposal to go into the money-market and borrow £1,600,000. Surely if ever there was a year in which we might meet our liabilities like men it was in a year when so large a surplus was anticipated? Such a proposal, however, was inconsistent with the tenor of the right hon. Gentleman's speech. Half the burden of his song was the amount of debt he had been able to reduce during his tenure of office; whereas in this year of marvellous anticipated prosperity he was reducing the debt by the operation of the Terminable Annuities and at the same time borrowing money. That was a proposition which was, he thought, entirely inconsistent with the right hon. Gentleman's whole management of the finances, and he, for his part, must beg to enter his protest against it. He did not, he might add, believe that the scheme which the right hon. Gentleman had submitted to the House was that which he had originally intended. It appeared to him that the speech which he had delivered when introducing the Budget had been prepared for an entirely different scheme. There was in that speech one sentence which seemed to him to show that the right hon. Gentleman had it absolutely in his mind to pay off the whole of the Alabama

Claims out of the revenue of the year. The sentence to which he alluded was that in which the right hon. Gentleman said that he considered this particular matter as one of the services of the year; but when the right hon. Gentleman went on to explain the different modes of meeting the payment, it became clear that the payment of the Alabama Claims out of the revenue of the year did not at all suit his purpose. He would also remind the House of what fell from the right hon. Gentleman on the occasion of a visit paid to him in Downing Street by an important deputation, as giving a further indication of what were his original intentions. When asked on that occasion to make certain remissions of taxation, the right hon. Gentleman observed that the deputation treated the matter as if he had a large surplus; whereas he, in reality, had no surplus worth mentioning, although everybody else at that very time was of opinion, from the state of the Revenue accounts, that he would have a very considerable surplus. It was perfectly clear that the right hon. Gentleman, when he gave that answer, had in his mind the intention of paying the Alabama Claims out of the revenue of the year. We have been accustomed to look on the Chancellor of the Exchequer as like the heroic man mentioned by Horace *justum et tenacem propositi*, whom nothing would divert from his purpose, not even all the storms of the Adriatic. But a storm came across the Irish Channel, and, to use the right hon. Gentleman's own metaphor—he was no longer the oak, but the sapling, and did not hesitate to adopt, instead of an heroic, a temporizing and unmanly course. The right hon. Gentleman in taking that course instead of the one which he originally proposed, might no doubt have been over-persuaded by his Colleagues; and it was probable that when he gave the answer to the deputation to which he had just referred he had not the advice and assistance of the hon. Member for Shaftesbury (Mr. Glyn), or of the right hon. Gentleman at the head of the Government. Be that as it might, the present proposals of the right hon. Gentleman seemed to him to be of a very happy-go-lucky character. He would appear to have followed that somewhat Epicurean maxim—

> "Dona præsentis rape lætus horæ, ac
> Linque severa."

As to his reduction of the sugar duties, he must say that, notwithstanding what had fallen from his hon. Friend the Member for London (Mr. Crawford) he doubted whether the consumer would get the benefit of that reduction. Statistics had been given to show that former reductions had been followed by a large increase in the consumption; but it was not clear that it was not a case of *post hoc*, and not *propter hoc*. There had, for example, been a great increase in the consumption of ardent spirits, although the spirit duties had remained unaltered. His hon. Friend the Member for Northumberland (Mr. Liddell) had cautioned the House against relinquishing such a source of revenue as was furnished by the sugar duties, and the means of maintaining those duties, it was clear, would be very considerably weakened in consequence of the proposal for their reduction which was now made. At present we depended largely on the revenue derived from spirits, and he certainly trusted we would not always rely on so large a revenue from that source. It was, in his opinion, most sad and lamentable to think that the larger consumption of ardent spirits was regarded as a test of the prosperity of the working classes. He hoped that in that respect there would be a great change before long in their habits, and that as the time when persons of the rank in life of Members of that House deemed it no reproach to be guilty of intemperance had passed away, better education and increased thoughtfulness would lead to the same result in the case of the working classes. Supposing that state of things should come about, and that we could not in consequence expect to receive in the future the same amount of revenue from the duty on spirits, how, he should like to know, was the vacuum which would thus be produced in the revenue to be filled up? It was, in his opinion, a serious matter for a Chancellor of the Exchequer to cut off any one source of indirect taxation needlessly. But there was another point of view in which he desired to put the matter before the House. Were the remissions of taxation of which he was speaking consistent with the solemn engagements of the Government to the House in connection with the subject of local taxation? Only a day or two ago the right hon. Gentleman at the head of the Government had, in reply to his hon. Friend the Member for South Devon (Sir Massey Lopes), stated that although the Government were not prepared with their whole scheme on that subject this year, they had not departed from the principles on which they proposed to proceed on a former occasion. There were, too, not only the engagements of the Government, but the determination of the House to be taken into account in the matter. The House had, by the large majority of 100, carried the Resolution of his hon. Friend the Member for South Devon, which involved a question of something like £1,500,000. The proposal of the Government was to transfer the house duty from the Imperial Exchequer to the local Treasury. That would require an amount of £1,200,000, not much less than the amount involved in the Motion of the hon. Member for South Devon. That being so, he was, he thought, justified in characterizing the proposals of the Chancellor of the Exchequer as happy-go-lucky, for it was clear that he could scarcely have considered the result of the remissions in taxation which he had made. If we had to pay out of the revenue of next year Exchequer Bonds to the extent of £1,600,000 how was the revenue to be kept up, and how was the question of local taxation to be dealt with? The right hon. Gentleman might say that the Government did not adhere to the proposal to transfer the house duty to the local Treasury; but it was, at all events, quite clear that no assistance could be given towards meeting local burdens, except by some transfer from the Imperial Exchequer, be it done by a vote of that House giving a certain amount for the maintenance of the police, of lunatics, the administration of justice, or in any other way. That being so, the financial proposals of the Government left no room for assistance from the Imperial Exchequer except by a resort to a very large increase of the revenue. How, under these circumstances, could those who voted for the Resolution of his hon. Friend the Member for South Devon support those proposals? They had these three disadvantages—that they would create debt in a time of unexampled prosperity, and throw on the future the liabilities of the present; that they would weaken the means of sustaining a source of revenue which would be wanting he felt convinced, hereafter, and would make it impossible to fulfil the pledges which the Government had given on the subject of local taxation, or to carry into effect the determination with regard to it at which the House had arrived.

MR. CHILDERS:* Mr. Speaker,—I do not intend to follow my right hon. Friend (Mr. Hunt) through all the questions to which he has just referred, as many of them will be better dealt with by the Chancellor of the Exchequer. But there are one or two points, especially in connection with the Estimates and the balances, which appear to me to require an immediate reply; and I think I shall be able to show that the reproaches of my right hon. Friend are altogether undeserved. He complains, in the first instance, that the Chancellor of the Exchequer has in each of the last four years under estimated his revenue. This is no doubt the case, though my right hon. Friend is the last person who should have made such a charge. There may be inconveniences in successive Budgets turning out so much better than the estimate, and in the last four years it is true that the revenue has exceeded, and the expenditure has fallen short of, the Chancellor of the Exchequer's anticipations. But this fault is a trifle compared with its opposite. My right hon. Friend and the Member for Buckinghamshire (Mr. Disraeli) did exactly the reverse. They over-estimated their revenue and under-estimated their expenditure. In each year of their administration the revenue fell short, and I need only remind the House of the Abyssinian estimate to show their laxity in matters of expenditure. Instead of £2,000,000 or £3,000,000, which the House was first told would be the cost of that war, the expenditure reached £9,000,000, a mistake which disturbed the Exchequer balances more seriously than any operation of any Government for many years past. Their ordinary expenditure, as I will show in a few minutes, was also so high, and so lightly controlled, that during their term of office the taxpayer had no relief, and no prospect of relief. I cannot, therefore, but think, Sir, that the country will prefer the policy which estimates revenue cautiously, keeps expenditure within bounds, reduces taxes, and pays off debt, to that which over-estimates revenue, and not only spends the whole of the votes but outruns the constable. My right hon. Friend also complains that, in accounting for the increase in the balances between March 1869 and March 1873 the Chancellor of the Exchequer omitted, from among the causes of that increase, the acceleration of the time for collecting the income tax, the house duty, and the licences which have taken the place of the assessed taxes. In making this charge my right. hon. Friend did not do justice to his own knowledge of the details of Treasury business. If he had considered the operation of the law under which the surplus of each period of 12 months is in part applied to the reduction of the National Debt he must have seen that the augmentation of the March balances, arising from the anticipation of the Midsummer receipts, which undoubtedly took place in the first year of the new system, would be entirely neutralized in less than two years. That augmentation would produce a surplus of revenue for the first financial year, inasmuch as the financial year ends in March; but this surplus will have been exhausted by the debt operation within 18 months, and the Budgets of succeeding financial years will have been founded on estimates of receipt and expenditure each for its own year. As to these, it would make no difference in which of the four quarters the largest amounts were collected. Therefore, considering that the change was made early in 1870, its whole effect disappeared before 1872, and the excessive balances of last March were solely due to the causes explained by the Chancellor of the Exchequer. I now, however, come to that part of my right hon. Friend's speech to which I rose to address myself—I mean his taunt against the First Lord of the Treasury, that in 1868 he had animadverted on the extravagance of the previous Government, but that he had been unable to reduce his estimates below theirs. The taunt itself I will show is unfounded, and that we are not those who should do penance in a white sheet for extravagance. But I admit that the charge has been pretty freely made in the country; and now that a Member of the late Government ventures to make it here, I think it should be met and exposed in detail. It is quite true that to a superficial observer the figures in the public accounts appear to justify this charge, and by going back a few years you might imagine that the increase in the public expenditure within the control of Government was not only £1,000,000 or £2,000,000, but as much as £5,000,000, or £10,000,000. I propose to analyse these figures, and I undertake to prove that the charge on the public is no greater now than it was 15 years ago, much less than it was under my right hon. Friend's control. Let me, in the first place, explain briefly the great changes which of late years have taken place in the manner of voting the public expenditure and stating the public account. It is not so long ago, though I admit outside the period to which I shall particularly refer, that no part of the expense of collecting the revenue appeared in the Votes of Parliament. But since this was altered, and the charges for the Customs and Inland Revenue Departments were annually voted, other improvements in the same direction have been effected, each of which has had the effect of swelling both sides of the public account. For instance, if any hon. Member will refer to the Estimates of 15 years ago he will find no such items as those for the Court of Chancery or the Common Law Courts, which now figure for very large sums. Formerly the expenses of these and other Courts of Justice were, with the exception of the Judges' salaries, defrayed from fee funds, of which the public had little or no cognizance, and thus these enormous establishments entirely escaped the annual scrutiny of the Estimates. One by one these Courts have been brought upon the Votes, the consequence being an increase, in the Law and Justice division of the civil estimates (Part 3) and in the Superannuation division (Part 6), of considerably more than £1,000,000; the miscellaneous receipts being augmented proportionately. Some other Courts, again, such as the County Courts, though they appeared upon the Estimates for considerable sums, did not really charge their whole expenditure upon the Votes, the fees they collected being allowed to go in aid of the appropriation. This has also been altered, and the case of the English County Courts alone accounts for an apparent increase of nearly £400,000. A similar change has taken place with respect to the Packet expenditure. For instance, a very few years ago the extensive service performed by the Peninsular and Oriental Company in the East, and in the direction of our Australian Colonies, was only provided for in the Imperial Estimates to the extent of the Imperial contribution. Now, the entire payment under the contract is included in the Packet estimates, the Indian and Colonial contributions to the extent of about £150,000 appearing among the extra receipts. So, again, the Army and Navy appropriations of the last few years have been largely swollen by receipts in aid, not being deducted, as formerly, from the Votes. I give these illustrations as a few among many of the reforms in matters of account only, which make the public expenditure look larger than it was. There is another operation which, in instituting a mere accountant's comparison, should not be forgotten. Fees to a large extent, which formerly went to fee funds, were in the first instance, as I have stated, carried to the miscellaneous receipts of the Exchequer. But a second change has been effected, and now these fees are collected, in many instances, by means of stamps issued by the Board of Inland Revenue, the sale of which is included under the general head of Stamps. Fifteen years ago, stamps of this character only produced a little more than £50,000. They have now reached nearly £600,000. But there is a much larger item, both of receipt and of expenditure, which, in comparing the cost of the public administration at different times, requires especial attention. The receipt to which I refer is not a tax; and its augmentation, under wise administration, the most fervid economist will not regret. But every increase in that receipt necessarily involves a corresponding increase of charge. I allude, of course, to the Post Office and Telegraph service. In 1860-61 the Post Office expenditure was just £3,000,000. In 1867-8 it amounted to nearly £3,250,000. Last year it exceeded £4,500,000. This year it will amount to nearly £5,000,000. I might, perhaps, here mention another item which, if wisely controlled, I conceive that we shall all desire to see increased rather than reduced, however zealous we may be for economy. I mean the charge for public, especially primary, education, which is by £1,000,000 larger now than it was 10 years ago. But I am so anxious to avoid the remotest suspicion of unfairness in the comparison which I am making that I will not separate the Education Vote from the rest of the civil expenditure. I will rather treat it as an additional burden entailed upon the country by the present Government, showing in greater relief their successful endeavours to defray new charges in one direction out of economies in others. But having explained to the House the disturbing causes which prevent the mere comparison of the gross totals of any two years being any test of the actual increase or diminution of charge on the public, let me state what appears to me to be a fair basis for such a test. The right process is a very simple one. We should take in each year the gross expenditure as furnished by the official accounts, and set off against it the receipts which are not in the nature of taxes, and many of which, as I have shown, at one time have, and at others have not, passed into the Exchequer. The net result will be the true criterion of the energy and success of Governments in dealing with the public expenditure, inasmuch as it will be the real amount which the public service will have cost the taxpayer of the country. Now, Sir, I have with much care, and with a studious desire to be absolutely impartial as between different Governments, instituted this comparison with respect to each year, and also with respect to particular groups of years, since the Crimean War. The first of these groups should be the years 1857-8 and 1858-9, when the naval and military expenditure was at its minimum. The next will be the five years from 1859-60 to 1863-4, which witnessed the reconstruction and augmentation of our armaments in view of the preparations for war made by one of our neighbours. The third period will be the last two years of the former Liberal Government, 1864-5 and 1865-6, in which the Motion for economy of my right hon. Friend the President of the Local Government Board (Mr. Stansfeld) took full effect. I take next the year 1866-7, the transition year between Lord Russell's and Lord Derby's Governments, and afterwards the two years 1867-8 and 1868-9, for which the administration of right hon. Gentlemen opposite was responsible. Lastly, I will bring into this comparison the expenditure during the four completed years of the present Government, and the Estimates for the current year. Now, what are the figures? In the two years 1857-8 and 1858-9, the Army and Navy expenditure, exclusive of the charges on the Russian, Persian, and China War Credits, averaged £22,616,000. The civil charges—excluding, however, the credits for redeeming the Sound dues — averaged £13,504,000, giving a total ordinary charge of £36,120,000. The miscellaneous receipts, not in the nature of taxes, including the Post Office and Crown Land Revenues, and the sale of stamps for departmental and court fees, averaged £5,280,000. The net charge on the taxes was, therefore, £30,840,000, or, including the interest of the National Debt, £59,418,000. In the second period, from 1859-60 to 1860-64, when the expenditure was influenced by the French armaments, the Army and Navy charges, exclusive of the China War expenditure, averaged £27,106,000. The average civil expenditure was £15,053,000, giving a total of £42,159,000. The receipts not in the nature of taxes averaged £6,136,000, and the net charge on the taxes for the ordinary purposes of Government was thus £36,023,000, or, including the interest on the National Debt, £62,714,000. In the two last years of the former Liberal Government, 1864-5 and 1865-6, the expenditure fell again to about the same level as after the Crimean War. The military and naval charges, besides those for the New Zealand War, averaged £24,673,000, and the civil charges £14,745,000. The total ordinary expenditure, therefore, averaged £39,418,000, and the receipts, exclusive of taxes, being £7,615,000, the net charge on the taxes for these purposes averaged £31,803,000 — in 1864-5 it was £32,327,000, in 1865-6 £31,297,000—or, including the interest of the debt, £58,104,000. And now the tide turned. The accession of the right hon. Gentlemen opposite to office was the signal for a rapid augmentation of the public charge. In 1866-7 the naval and military expenditure amounted to £25,352,000, and the civil expenditure to £15,346,000, or a total of £40,698,000. The revenue not in the nature of taxes was £8,077,000, so that the charge on the taxes for the public establishments was £32,621,000, an increase of nearly £1,400,000 on the preceding year. The debt charge was £26,082,000, the total sum defrayed out of the taxes being thus £58,703,000. Then I come to the two years when the Member for Buckinghamshire and my right hon. Friend were entirely responsible for the public finance. At a time of profound European peace they raised the charge for the Army and Navy in 1867-8 and 1868-9 from £24,064,000, at which it had stood in 1865-6, to an average—not including the cost of the Abyssinian expedition—of £26,476,000. The civil expenditure rose to £16,533,000, giving an average total of £43,009,000. The miscellaneous revenue was £8,284,000, so that the average charge on the public taxes in the two years when, of all others, viewing the commercial state of the country, it ought to have been lowest, reached nearly £3,500,000 more than it was in 1865-6, or £34,725,000. The charge for the debt was £26,595,000, and the total expenditure defrayed from taxation, exclusive of £7,000,000 in the two years for the Abyssinian War, averaged £61,320,000. I now, however, come to the last four years, and the House will see how great is the contrast. I exclude from this comparison the cost of abolishing army purchase, which is a capital charge; and I might also have fairly excluded the expenditure under the vote of credit on acconnt of the war in Europe, but I will not do so, and I treat it as among the ordinary charges of 1870-71 and 1871-2. Here is the result. During those four years, 1869-70, 1870-1, 1871-2, and 1872-3, the average Army and Navy expenditure was £24,273,000, and the civil expenditure £18,353,000, being together £42,626,000. The receipts not in the nature of taxes averaged £9,762,000, giving as a net result an average charge on the taxes of £32,864,000. Last year this figure was £32,399,000, or nearly £2,350,000 less than when my right hon. Friend opposite was in office. Adding the interest on the National Debt, the total ordinary charge on the taxes during the last four years has averaged £59,745,000, or, very nearly the same sum as the average charge in the years 1857-8 and 1858-9. What, Sir, do all these figures—and I am sorry to have been obliged to trouble the House with so many—clearly show?

They prove to demonstration that, both when the present head of the Government was Chancellor of the Exchequer, and also since he became First Minister, there has been a constant and successful struggle on the part of the Government to reduce the public burdens. Let me state the result in round numbers. From £38,200,000, at which the charge on the taxes for the naval, military, and civil expenditure stood in the panic of 1860, it was reduced in five years to £31,200,000. When the right hon. Gentleman opposite took office they allowed this charge to rise to £34,700,000, an increase of £3,500,000 in two or three years. It has now been brought down again, in spite of the recent Franco-German war, to less than £32,400,000; and as the gross amount of the Estimates for the current year, according to the Chancellor of the Exchequer's statement, is almost exactly the same as the gross amount for last year, this economy, in spite of the rise of prices, is being maintained. Indeed, it is more than maintained; for, excluding the Post Office and Telegraph Services, those Estimates show a considerable reduction. What we have done, then, compared with our predecessors, may be thus expressed. They, in two years and a half of ordinary times, added £3,500,000 per annum to the expenditure, and precluded themselves from giving the public the benefit of any remission of taxation. To be quite accurate, I ought perhaps to say that they remitted about £200,000 a year of marine assurance duty. We, however, have given the public the whole benefit of the increase in the revenue, besides largely reducing the National Debt. I do not take into account the 2*d*. which the Chancellor ofthe Exchequer took off the Income Tax in 1869 and 1870, as it had been imposed on account of the Abyssinian War; but, irrespective of that remission, my right hon. Friend, in his five Budgets, will have taken off taxes to the extent of above £9,000,000 per annum, of which £5,300,000, or something over one-half, formerly fell on the food of the people, in the shape of duties on corn, sugar, and coffee. During the same five years, allowing for the investment of the surplus of 1872-3, which is now going on, he will have reduced the debt by £25,000,000, not to speak of the £10,000,000 which would also have been applied to its reduction had it not been for the purchase of the telegraphs and the completion of the fortifications. If Sir, I had time, I should have liked to show the House in detail how the economy which has assisted to produce these results has been carried out in the different branches of the service. As to some of those branches I can only speak from imperfect knowledge, but the two years which I passed at the Admiralty enables me to say something about the economies affected in our naval service. I found a naval expenditure which had averaged during the two preceding years of the late administration over £11,200,000. During the last four years—I will add to them the fifth year, of which we have the Estimates before us—that expenditure will have averaged a little over £9,700,000, exhibiting a saving of £1,500,000 per annum. These economies were not, as has been said, fitful or spasmodic, but have been maintained with singular uniformity during the whole period. In 1869-70, my first year at the Admiralty, the expenditure was less than £9,800,000. In the second, somewhat swollen by the consequences of the war in Europe, it was £9,900,000. In 1871-2 it was over £9,800,000. Last year it fell below £9,600,000, and again this year my right hon. Friend (Mr. Goschen), notwithstanding the rise in prices, only proposes to vote a little more than £9,800,000. I hope and believe that these figures are a fair sample of what may be found in other Departments, and, if there have not been, in respect of some of them, the means or the opportunity of applying the scrutiny which I undertook in 1869, I have little doubt that the inquiries which Parliament is now making will open fresh fields for economy. What, Sir, then, is the financial history of the 15 years from 1859 to 1873? What has been done in them to reduce the public burdens, and by whom? In spite of the additional charges imposed in 1859, those years will have seen a net remission of taxation to the extent of £21,000,000 a year; and, in spite of the Abyssinian War, the purchase of the telegraphs, the construction of permanent fortifications, and the abolition of army purchase, a net reduction of £47,000,000 in the National Debt. The whole of this, except an insignificant trifle, will have been effected in the years of Liberal administration; so that there never was, as I hope I have shown, a more unfounded taunt than that which my right hon. Friend has ventured to night to fling at us. I thank him heartily for having given me an opportunity for making this statement, and as, if I remember rightly, he favoured us during his speech with four Latin quotations, perhaps he will allow me to cap them with a fifth—"*Suo sibi gladio hunc jugulo.*"

Mr. G. BENTINCK said, that the right hon. Gentleman who had just sat down had converted a discussion upon the Budget into a comparison of the respective merits of the two parties on the opposite sides of the Table. He (Mr. Bentinck) would not follow the right hon. Gentleman through the latter part of his speech; but he had no doubt when the proper time came there would be found right hon. Gentlemen on the opposition side of the House who were quite prepared to answer him. He could not help thinking that, with all submission to the distinguished Assembly which he was addressing, they were placed in a false position in regard to the question of local taxation, and that a wrong course had been taken by the Chancellor of the Exchequer, and had received the sanction of the House. Reduction of expenditure would be impossible, for the necessities of the Government required the present amount, and therefore he should have no belief in political programmes which proposed reduced expenditure. Looking back to the Resolution passed last year on the Motion of his hon. Friend (Sir Massey Lopes), he could not understand how, after passing the Budget now proposed, it would be possible to deal practically with the question of local taxation in the present Session. Believing that the incidence of local taxation was most injurious to a large portion of the community, he regretted that another Session should elapse without something being done in this matter. An hon. Gentleman lamented the position of the rural districts, especially with reference to the malt tax. He (Mr. Bentinck) had always contended that so long as free trade principles were in the ascendant in their financial policy the rural districts were entitled to call for the abolition of the malt duty. This country depended for its very existence upon the rural districts. They might live, though in poverty, without commerce; but they could not live at all without the cultivation of the land. How was it that the interests of the rural population, though they outnumbered the rest of the country, were invariably ignored and trampled upon in this House? The cause was simply this—that instead of supporting each other, like any other great commercial interest—for agriculture was a commercial interest, they split themselves between the two parties in the State, who did not care for them, and who were struggling for the occupation of the Treasury bench. So long as the rural districts failed to ignore the existence of political parties in the House of Commons, so long would they be overtaxed and unjustly dealt with. His chief object in rising was to express his regret that no hon. Member of the House had, in the course of the debate, uttered one word of condemnation upon what he regarded as the darkest blot upon the history of the country—the Alabama Indemnity. He was not going to enter into the question of how they were to pay that disgraceful black mail; but, as an Englishman, he deplored that not one word had been said in condemnation of the proceeding. He hardly thought he was wrong in saying that 20 or 30 years ago such a thing would not have occurred. He saw that the hon. Member opposite (Mr. White) laughed. It might be a matter of joke to him; but as an old-fashioned Englishman he (Mr. Bentinck) lamented that the absence of the sense of shame among his countrymen should be a matter of amusement to the hon. Member. It was impossible for any nation to occupy a position of more utter degradation than that in which the country was placed with respect to the United States; and he could only regret the moral change which had come over his countrymen when the position we occupied provoked no expression of regret or indignation. There seemed to be no sense of degradation in doing that which the Secretary of the Treasury had told them was cheap—namely, pay £3,000,000, to escape war [Mr. White: Hear, hear.] The hon. Member cheered that sentiment, and it confirmed him (Mr. Bentinck) in his statement that they were paying black mail in order to escape war. It was admitted by all who had studied the question that as international law stood at the time of the escape of the *Alabama* we were not liable for one shilling of the damage which that vessel committed. What did they do? They were so anxious to be placed in a position to buy off the animosity of the United States that they consented to alter international law and make a law by which they could be brought in guilty of the crime of which they were innocent. Was that the act of a wise man or of a wise nation? They went further than that and assumed a proposition so monstrous that it was hardly possible that any man could rise in his place and defend it. An hon. Gentleman, in whose judgment he had little faith, had propounded the doctrine that all disputes, irrespective of considerations of national honour or of right and wrong, would henceforth be referred to arbitration, and that whenever it suited the purpose of a nation to pay black mail it would always be at liberty to do so. Human nature, however, could not be changed by Act of Parliament, and the animosities, and impulses which had driven countries to war, often in spite of their rulers, could not be got rid of by legislation. Would any man assert that the course which they had taken with regard to the *Alabama* was not a distinct temptation to the United States or to any other country to quarrel with them for the purpose of levying a fine upon the country? From the moment that they announced that their intention was, not to fight, but always to pay, they offered a perpetual inducement to aggression. Did any man suppose that there was no amount of contumely and no amount of insult which could arouse England to go to war? The principle of arbitration was a rank and glaring absurdity; the result would be that after much altercation this policy would sow the seeds of more dissension than could any policy ever suggested by the folly of mankind. In conclusion, he desired to express his unmitigated disgust at the whole proceedings connected with the Alabama Indemnity, and the determination, so far as he was concerned, never to vote a single shilling for it.

MR. RYLANDS, while thinking that the right hon. Member for Pontefract (Mr. Childers) had the best of the argument that night between the two front benches, and that the Liberal party had, on the whole, been more economical than their opponents, still was bound to say that neither of them had very much to boast of in that matter. The present Government came into power upon the promise of great economy, yet they had accomplished but very little. During the first 18 months of their term of office they effected a very considerable reduction of expenditure, but they lost their heads during the panic of 1870, and they had still considerable leeway to make up before they attained the point which they reached at the beginning of 1870. When they incurred such an enormous and extravagant expenditure in time of peace as they were now doing, they had no right to look with satisfaction on the proceedings of the Government, as the right hon. Member for Pontefract asked them to do. It was not enough to prove that Gentlemen on the other side had been worse sinners than themselves. What the Government had to prove was that they had reduced expenditure to the extent the country had a right to expect. That they had not done; but, as they had a little further time for repentance and to set their house in order, he hoped that next year the Chancellor of the Exchequer would accomplish much more for the reduction of the public burdens. If the Government were to go to the country with an expenditure of over £70,000,000 hanging round their necks, they would find it difficult to satisfy the public at large that they had fulfilled the pledges of economy given by the Prime Minister in his Lancashire tour. If they did not fulfil those pledges before they appealed to the constituencies, the Liberal party would greatly suffer. He was prepared to support the present Budget, which, however, he regarded as only a commonplace Budget. He thought the proposed reduction of the sugar duty and the income tax would make the Budget popular with the country; but he desired to see a fairer share of taxation imposed on real property. As to reducing the National Debt, it should be remembered that the National Debt was a mortgage on the real property of the country; and if they wanted to clear off that mortgage, they ought to tax real property—the security to the national creditor—for that purpose. They imposed on the industrious and provident classes a considerable tax from which land was to a great extent exempt. During the last 75 years £148,000,000, or about one-sixth of the entire National Debt, had been levied on personalty in the shape of legacy and probate duties; while from 1853 down to March, 1872, the succession duty raised upon real property only amounted to £12,000,000. If the right hon. Gentleman the Chancellor of the Exchequer had proposed a tax on real property equal to the legacy and probate duty he would probably have been met by an adverse vote in that House; but the country would have supported the Government in a proceeding of such evident justice. It had been said that the rural interest was neglected. He (Mr. Rylands) denied that such was the case. The taxation of the country for many years had been very much in the interest of land. So much was this the case that he had heard it said that if a being from another sphere were to come here he would have no difficulty in seeing from the Statute Book that the power of the country had been in the hands of the landowners, so greatly was the interest of the land above all other interests consulted in our legislation. The repeal of the malt tax would not be of much interest to the farmer, though the landowners would no doubt derive benefit from it. He was glad that the Chancellor of the Exchequer had taken his present course with respect to the sugar duties. It was perfectly true, as had been stated on the other side, that three years ago the Chancellor of the Exchequer said it was clearly to be understood that in making the proposal which he then made he was not preparing the way for further reduction or abolition. He was glad that the views of the right hon. Gentleman had undergone a change. Whether that change was owing to some new light which had dawned upon his mind, or to pressure put upon him by his Colleagues, and especially by the Prime Minister, whose views with regard to import duties were well known, did not much matter. Whatever the cause the country would be very well satisfied with the result. It was said, indeed, that the public would receive little or no benefit from this reduction of the sugar duties; but the experience of the last 30 years proved to demonstration that we could not reduce any tax without largely increasing the consumption of the article affected by it. Since the alteration of the duty in 1844 the consumption of sugar had increased from 17 lb. per head to 50½ lb.; whereas during the whole of the first 40 years of this century, while the duties were prohibitive, the consumption, so far from increasing, had slightly diminished. The Chancellor of the Exchequer must see, however, that he could not stop here, but must go on until the sugar duty was completely abolished, since it would not be worth while keeping up an army of officials to collect it. And then when the tea duty and the coffee duty were taken off, and we had reduced our extravagant expenditure, the time for the reduction of the malt tax would come, though he did not, like hon. Gentlemen opposite, believe that it was a tax which pressed heavily on agriculture, inasmuch as it was the consumer who really paid it. He must protest, however, against any large amount of money being applied to the reduction of the National Debt until the duties were taken off from all those articles used by the working classes which might be considered necessaries of life.

Mr. SCOURFIELD remarked that it would be hard to tax real property to pay the Alabama Claims when those claims could in no way be regarded as chargeable to real property, and he was surprised the hon. Member for Warrington (Mr. Rylands) did not include the malt tax among those he wished repealed in the interests of the working man, because beer was peculiarly the beverage of the lower classes. He protested against imposing taxes on real property in the interest of those who came from all parts of the world to amass fortunes in this country. His only complaint against the Chancellor of the Exchequer was the folly he had exhibited in choosing troubled waters when he might have realized everybody's expectations by repealing no taxes and paying off the Alabama Claims out of the ordinary revenue. The Chancellor of the Exchequer had evidently fallen under the influence of the greatest power of the age—the influence of phrases. He had been captivated by the proposal to "lighten the springs of industry," a phrase which had taken the place of "fructification;" but he presumed a widow expecting the payment of her jointure would not be well pleased if her trustees told her the money was "lightening the springs of industry."

Mr. WHEELHOUSE said, it would be a fairer question to consider, after the Alabama Claims had been discharged, how far the income tax could be reduced, if not abolished altogether. The income tax, especially in Schedule D, was most inequitable, vexatious, inquisitorial, and unjust in the way it was levied and collected, and it was a mistake to suppose the working classes did not pay their share of it. They clearly contributed towards it in the increased profits upon goods supplied to them by the manufacturer and retailer. It appeared to him that the Chancellor of the Exchequer would have done much better if he had removed or modified this tax that pressed heavily upon large classes of Her Majesty's subjects.

Mr. LAING said, he wished to call the Chancellor of the Exchequer's attention to a point upon which considerable anxiety was felt in commercial circles—namely, as to the time at which the Alabama Indemnity was to be paid. Strictly speaking, it would be payable in the month of August; but between July and October there was generally a drain upon the bullion and reserve at the Bank, partly caused by harvest operations and partly, perhaps, by the gold taken by persons travelling. The wise course would have been to pay some portion of the Indemnity with the large balances. This might have been done under an arrangement for discount, and the Bank could then have parted with the money without inconvenience. Such an arrangement would have been desirable also for the sake of the revenue; because although the Estimates of the Chancellor of the Exchequer were fair Estimates, provided nothing occurred to cause commercial pressure; on the other hand, if the Bank were compelled hereafter to raise its rate, the right hon. Gentleman might find his Estimates somewhat deficient. He hoped the right hon Gentleman would consult the authorities of the Bank of England so as to make this payment in a mode and at a time which would avoid inconvenient pressure to the commercial community.

Colonel BARTTELOT said, the hon. Member for Warrington (Mr. Rylands) seemed to be a man of universal knowledge. He knew everything, and among the rest knew exactly the incidence of the malt tax, declaring that it was a tax paid by the consumer, and had nothing whatever to do with the producer. He added that he should like to see the sugar duty wholly abolished, and the tea and coffee duties further reduced, being taxes which pressed upon the working classes. But, supposing the hon. Member were right as to the incidence, did not the malt tax press especially on the working classes? If the hon. Gentleman would only consult his constituents upon this point he was sure that they would say they should prefer the duty to be taken off their beer—for it did them more good than tea or coffee—and they would rather have the duty taken off that than off any other articles. If, therefore, the hon. Member stood to his guns he should claim him as a supporter of his Motion when he proposed his Resolution for the reduction or remission of the malt duty. As to the statement that the malt tax did not press on the producer, the hon Member knew nothing whatever about it, for if a man grew an inferior class of barley, the tax pressed heavily upon him, and he had to sell his crop at a reduced rate for feeding instead of for malting purposes. If all these indirect taxes were repealed, and you trusted to the spirit and malt duty, the result would be that when wages were low and work was scarce it would be necessary to increase the income tax. That was a point of view well worth consideration by the Treasury bench and by the country. It had been stated by the right hon. Gentleman at the head of the Government that they would be placed in no worse position by passing those Resolutions on the last day before the holidays than they were in now. But he complained of the Budget being brought forward on the eve of the holidays, leaving the country a fortnight or more without the opportunity of discussing it through their representatives in that House. He thought that those with whom he generally acted there were placed at a tremendous disadvantage in deferring the discussion of the subject to that moment. This was not the Budget of the Chancellor of the Exchequer who told the malt tax deputation that waited upon him that there was no surplus—

the man who had declared it to be his intention to pay the Alabama Claims out of the revenue of the year. But there was a variety of political opinions in the Cabinet which had to be considered. The policy of the Government would probably leave the country with an empty Exchequer, and in the event of a change of Ministry their successors would have to encounter a difficulty out of which they would have to get the best way they could. This was a sensational Budget, not a sound, constitutional Budget; and by reducing the sugar duties revenue would be thrown away without any necessity. He hoped the Motion of the hon. Member for Westminster (Mr. W. H. Smith), that the sugar duties should not be reduced, would be carried.

Mr. ASSHETON CROSS said, the question which yet remained unsolved was what surplus Her Majesty's Government had to deal with when they came to lay the Budget before the House. There was a sort of impression in the country that there had been a cooking of the Government accounts to make up the figures of the Chancellor of the Exchequer. The country thought the Budget which the Chancellor of the Exchequer had submitted to the House was not such a Budget as he would have brought forward if he had been allowed to take his own course. He was quite sure the country would expect from the Chancellor of the Exchequer a sound reason for having postponed the payment of the Alabama Claims before he dealt with the surplus. What was the real surplus, and why had the right hon. Gentleman not provided for the payment of the Alabama Claims this year, in accordance with duty? When the Government were candidates at the last Election they led the country to expect that the costs falling on the year would be paid out of the income of the year. That matter was entirely slurred over in the Financial statement of the Chancellor of the Exchequer; but it was one on which the country expected a clear explanation from Her Majesty's Government. Suppose the late Government had taken with regard to the cost of the Abyssinian War the same course as the Chancellor of the Exchequer proposed with regard to the Alabama Claims, there was not a Member of the present Government who would not have opposed such a course. The sound course was this—if you were indebted, pay all your debts; and if you had a surplus, dispose of it in the way which would be the most beneficial to the country. The present Budget was what was called a popular Budget. Its object was to make things pleasant and easy all round. But the country thought that before things were made pleasant and easy we ought to pay our debts. The country thought that it was with a view to the next Election that Her Majesty's Government had proposed a Budget professing to give to the taxpayers money which practically the Government had not to give. He doubted if the Government had contemplated the real financial position of next year. The country wished to know why the payment of the Alabama Claims was spread over two years instead of one.

The CHANCELLOR of the EXCHEQUER said, it was not very easy to answer the questions of the hon. Gentleman (Mr. Cross), for he thought he did not know what the questions were which he asked. The payment of the Alabama Claims was not spread over two years instead of one. It was impossible to spread it over two years. The money must be paid before October this year. [Mr. Assheton Cross said, he meant that the Claims should be discharged out of the taxes of this year.] The hon. Gentleman wished to know what would be his (the Chancellor of the Exchequer's) position next year. The hon. Gentleman did not seem to have considered what would be his position next year, nor did any Gentleman who had spoken on the opposite side of the House. His position next year would be a very agreeable one. He would start next year with £1,600,000 to the good. Suppose the revenue and the expenditure balanced each other next year, there would be a surplus of £1,600,000. Of course, it might be possible that he would have to borrow half the money; but he did not believe that for a moment. He was encouraged in that belief by the prosperous state of the revenue since the year commenced, and Gentlemen looking to the Returns had been misled, because it was impossible to tell by looking at one or two Returns how matters really stood. The state of the revenue was one thing, and the state of the balance of expenditure was another. The revenue was, in fact, in an exceedingly flourishing and prosperous state. The right hon. Gentleman the Member for Northamptonshire (Mr. Hunt) observed very justly that he (the Chancellor of the Exchequer) did not state, when he introduced the Budget, the estimated items of expenditure for the year 1873-4. He was sorry the right hon. Gentleman did not call his attention to that omission at the time. He would now state those items. The estimated expenditure for 1873-4, compared with the grants of 1872-3, was as follows: — The estimated amount of the interest of Debt for 1873-4 was £26,750,000, while the grant for 1872-3 was £26,830,000, being a decrease of £80,000. The other charges on the Consolidated Fund were estimated at £1,570,000, being a decrease of £210,000; the estimate for the Army was £14,417,000, being a decrease of £407,000; the estimate for the Abolition of Purchase was £842,000, being a decrease of £96,000; the estimate for the Navy was £9,873,000, being an increase of £341,000; that for the Civil Services was £11,068,000, being an increase of £127,000; that for the Post Office was £2,745,000, being an increase of £135,000; that for the collection of Customs, and Inland Revenue was £2,661,000, being an increase of £40,000; that for the Telegraph Service was £815,000, being an increase of £145,000; and that for the Packet Service was £1,130,000, being a decrease of £5,000. Thus the total Estimate for 1873-4 was £71,871,000 as against the grants of 1872-3, amounting to £71,881,000, the decrease of the Estimates over the grants for the previous year being £10,000. He could only regret that the right hon. Gentleman had not been placed in possession of these figures sooner. He had been accused of having been too sanguine in his estimate of the revenue for the ensuing year. He feared that it was impossible for him to escape from the charge of either being too sanguine or not sufficiently sanguine on this subject. He had a modest confidence that whatever might happen he should be sure to be blamed on one side or the other. With reference to the estimated production of the spirit duties, he thought it had been arrived at in a very fair manner. The great annual increase in the amount of those duties commenced in 1868. In that year those duties increased over those of the previous year by £44,000. In 1869 they increased by £410,000; in 1870 by £450,000; in 1871 by £810,000; and in 1872 by £1,330,000. Striking the average of these five years, he found the average annual increase in these duties to amount to £600,000, at which sum he had calculated the increase for the ensuing year; and he had every reason to believe that the estimate would be borne out. He might mention that recently the duty had been affected somewhat by a discouraging report that had got abroad that it was the intention to increase the tax upon spirits; but, nevertheless, the duties upon those commodities had remained perfectly firm, and had increased as usual. He was asked why it was that the Government had chosen to divide the Alabama Indemnity, instead of taking it all out of one year. It must, however, be remembered that the payment of the Indemnity was not like taking off a tax—it was paid once for all, and there was an end of it. Had this Indemnity been paid out of the surplus for the present year we must have pinched ourselves hard in order to have given the Chancellor of the Exchequer an opportunity of being extravagant next year. By dividing the payment, however, we had been enabled to obtain present relief, with a prospect of having a surplus next year of £1,600,000. Under these circumstances there was, therefore, no necessity to be too anxious for the future. With regard to the time when the payment of the Indemnity would be made, he could only say that he had not yet made up his mind on the subject, and that, if he had done so, there were many reasons which would render it undesirable that he should make any statement respecting the matter.

Motion *agreed to.*

Ways and Means—*Considered* in Committee.

(In the Committee.)

Motion made, and Question proposed, "That, &c."

Mr. CRAWFORD rose to call attention to the subject of the Sugar Duties, and to the position in which this country stood at the present moment with reference to the Conventions entered into with France, Germany, and Holland with regard to the manner in which those duties were to be levied. His object was to bring about a fair and equitable arrangement with regard to the drawbacks which were allowed on exported sugar. When the question of origin in reference to sugar had been settled, a struggle took place as to the differential scale. In 1854 the duties were fully considered in that House, and in 1862 a Committee was appointed on his Motion to investigate the whole question; a scale of duties having been fixed which practically had remained in force down to the present time. The result of the various propositions which had been submitted to the Committee was that a proposal came from the French Government to regulate the import duties according to the qualities imported. A Convention had accordingly been entered into, and the first step taken was to agree to certain standards of sugar in accordance with which the duties should be levied in those countries which were parties to the Convention—Belgium, France, Holland, and Great Britain. In the issue the arrangement had been found to work exceedingly unfavourably to this country. The sugar of commerce was generally known in reference to what were termed Dutch numbers, the various qualities ranging from 1 to 19. It being found impossible to levy 19 grades of duty, refined sugar at the present moment, from Nos. 19 to 15, paid 5*s.* 10*d.;* 14 to 10, 5*s.* 3*d.;* 9 to 7, 4*s.* 9*d.;* and all under 7 paid 4*s.* When the duties should have been removed, as proposed in Committee, the imposts in England would be about one-tenth of those in France, the maximum here being 3*s.* and the minimum 2*s.*, while the highest duty there was 27*s.*; but the circumstances under which the business of sugar manufacture and production in that country was conducted differed entirely from those which prevailed in any of the States which were parties to the Convention. In France sugar was produced almost altogether from the cultivation of beetroot, and the manufacture was conducted on principles so highly scientific that the manufacturer was able to produce sugar of any particular quality required differing only in a very slight degree from the number next above it, while it remained at the same time of a sufficiently distinct character not to come under the superior standard. He was therefore able to proceed with his business on terms which were more advantageous to him than the English manufacturer, who had to buy his sugar in this country in the market of such a quality as he might find there available for his purpose. The English refiner, too, had to pay duty on the article when he cleared it from the Custom House, while the French refiner had nothing to pay. In the case of Holland and Belgium also, the state of things was very different from that existing in this country. We were overweighted in the matter, and the consequence was that we now found ourselves completely at the mercy of the French exporter; that out of 23 refineries which existed in London some years ago only three remained; that in every foreign market we were beaten by the French, and that our export trade had in point of fact entirely gone from us. He, for one, laid the result at the door of the Convention. That being so, a resolution had been very generally arrived at that the evil complained of could be best met by the method of refining in bond. The Dutch and French had, he believed, agreed to the adoption of that system, and Belgium was the only country which stood out against it. The Convention was now sitting in Paris, and he believed what they had principally in hand was the question whether refining in bond should by general agreement be substituted for the present system. One of "three courses" might be pursued—to let things remain as they were and wait for the Convention to come to an end; to adopt the principle of refining in bond, leaving Belgium to adopt her own course, according to the general consent of the Convention; or to let things return to their former state, when we should be at liberty to take that course which was most conducive to our own interest. This, he thought, would be much better than being hampered by the course adopted by other countries, who in the end generally obtained a great advantage over us. It was impossible we could derive any advantage from the Convention so long as it remained on its present footing; and the sugar interest required that some step should immediately be taken to bring the matter to an issue. The French refiner and exporter derived a great advantage in the nature of a bounty under the operation of the present law. That bounty was estimated to amount to not less than £800,000 in the year. The eyes of the French people were now opened to the fact, and they were no longer disposed to be parties to that payment. In the meanwhile, no doubt, we obtained sugar at a lower rate in this country; and therefore it might be said we should not be the first to complain; but the French manufacturer, being enabled by the bounty to undersell us, would soon obtain control of the market, and we should be at the mercy of a monopoly entirely in the hands of the foreigner. He hoped that an intimation would be made to those who represented our Government at the Convention that some step should be taken in the direction he had indicated, either at once for bringing the Convention to an end if possible, or procuring refining in bond even at the expense of Belgium retiring, if willing to do so, from the Convention.

General Sir GEORGE BALFOUR drew attention to the sugars of the Mauritius, which were formerly excluded by being taxed at a higher rate than those of the West Indies. That island was famous for the production of sugar of the best quality. The planters were proud of their sugar estates, and availed themselves of every improvement in cultivation and manufacture to make that remarkable island yield the largest quantities of the best sugars. That inequality in the rates of duties on sugars of different countries had now been removed, but a difficulty still existed in the present classification of Customs duties on different qualities of sugar which tended to exclude the superior sugars of the Mauritius, although they were the finest in the market of all the cane juice sugars. This classification of duties was practically a tax on manufacture, and labour which had long ceased to be an English system of taxation. He also complained of the bounty given to the French manufacturer, under which, although we obtained cheap sugar at the expense of France, our refiners had been well nigh ruined. The system of drawbacks in France on all sugars had ended in giving to the refiners of France an excessive and an unjust bounty. The deputies appointed by France to the Sugar Conference between Holland, Belgium, France, and England had acknowledged to a payment in the shape of bounty on export of the French sugars of 8,000,000 francs, or nearly £320,000 out of the French revenue; but he had good grounds for estimating the actual payment at upwards of £1,000,000 sterling paid in the shape of bounties on exported refined sugars. The effect of this stimulant was seen in the large increase of imports from the Continent into England, which had increased from 765,665 cwt. of refined sugar—that is loaf sugar, in the year ending 31st March, 1866, to 1,618,786 cwt. in 1872; so that the sugar refiners of France had actually been able to sell this beet-root sugar in English markets at a lower rate than it could be manufactured in this country out of the cane juice sugars of our colonies and other foreign grown sugars. The consequence was, that beet-root cultivation in France had largely extended, not from its superiority over cane-juice sugar, but owing to the large bounty given. He also pointed out that besides the duty on imported refined sugar, the other qualities of sugars were divided into four classes on which four different rates of duty were levied by our Customs; but so injudiciously had the classification been made that notwithstanding the large increase in the total quantity of sugar imported within the last few years, it was seen that the imports of sugar under the second and third classes had actually fallen off since 1866, although the imports under the first and fourth classes had largely increased—the first class to the extent of eight times the quantity in 1872, as compared with that in 1866, and two-and-a-half times the quantity under the fourth class as compared with that in 1866. In this view he pointed out, that the classification having failed, he expressed an opinion in favour of abolishing all distinctions between sugars by fixing a uniform duty of a farthing a pound on all sugars, and this rate, he believed, would produce as much revenue as the present varying rates of duties on our defective classified system of sugars, thereby greatly simplifying the business of the Customs, besides lessening the cost of management. The next great step was an entire abolition of the duty on sugar. It was an article largely consumed by the poorer classes, and yearly on the increase. The relief to those of moderate means from the cheapening of sugar by the abolition of the duty would be considerable, and would serve in a degree to reconcile them to the continuance of the income tax. The supply of sugar could be increased in quantity to almost any extent, and production was actually largely on the increase in various parts of the world. It was in course of being increased, not only under improved systems of cultivation, but also of manufacture, and at a cheaper rate. There could therefore be no doubt as to its being available in this country in any quantity at lower prices than have hitherto prevailed. There could also be no doubt that sugar and molasses might be extensively used for fattening cattle for the meat market, and in this way greatly benefit the farming interest, which stood so much in need of assistance, to enable it to compete with the duty-free cattle from the Continent, and with the grain now imported duty free from countries lightly taxed, thus competing with our cattle and grain raised on lands so heavily burthened with rents and taxes, and far in excess of the burthens of Continental lands. He closed by urging the Government to follow the course of free trade by abolishing the remainder of the sugar duty, and thus free the country from the entanglements which existed from having entered into conventions with the Continental States, to the injury of our own Colonies and refiners, by which France also suffered from the large bounties now unfairly paid to the refining class of that country, to the injury of the revenue and of the morality of the people of that fine country.

Mr. CRUM-EWING said, the refiners had been against refining in bond, but they had now come round to it. He spoke on behalf of the growers, whose interests were the same as those of the refiners, and who were greatly injured by the Convention. It was all very well to say that sugar was cheaper in this country—cheaper than in Paris; but if we extinguished refining in this country what was to become of our carrying trade? He trusted the Convention would, if it were possible, be put an end to.

Mr. GREENE said the Convention would soon put an end to the cultivation of beet in this country. The Convention ought to be carried out in its integrity, or else we ought to recede from it.

Mr. J. B. SMITH remarked that the system of classifying the sugar duties and levying them by colour was contrary to common sense, and had led to all the difficulties which had been experienced. To levy these classified duties it was necessary to examine and value every package of sugar, and as there were 5,000,000 packages imported every year, the expense of levying the duty was very large, and would be just as large with the proposed duty of a farthing a pound as when the duty was 4*d.* per lb. or 16 times as large. The right hon. Gentleman the Chancellor of the Exchequer had, he thought, brought this country into unfair competition with France in regard to sugar. The Committee of 1860 fully considered the question of refining in bond, and by 10 to 3 refused to recommend it, because the evidence of sugar refiners themselves showed that nothing would be easier than to defraud the revenue, while the restrictions of the Excise to prevent fraud would render the prosecution of the trade intolerable. The system of classified duties was eminently fruitful of fraud, as was also that other dodge which the refiners sought—namely, refining in bond, and the only sensible course would be to propose to the French and all other Governments a uniform rate of duty and a uniform drawback. The system of giving the sugar refiners bounties in these free trade times was a disgrace to the House and to the country.

Mr. MACFIE complained that the sugar refiners had been much misrepresented; they had not used the law to defraud the revenue. At present the French refiner gained a great advantage at the expense of his own Government, and to the injury of the English refiner. He (Mr. Macfie) believed there was now a general conviction that refining in bond was the true and simple solution of the difficulties attending this question. The importance of the refining trade consisted not in the capital or the number of hands employed, but in the fact that it brought the raw material to the country and gave them the benefit of the export trade. He trusted that the English Government would not abandon the Convention, but would urge the French Government to stand steadily to its principle, and to carry Belgium along with them.

The CHANCELLOR of the EXCHEQUER said, that the course adopted by the Government was to send two representatives to the Conference, but not to give them directions to put an end to the Convention. They were instructed to support the refining in bond.

Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, on and after the under-mentioned dates, in lieu of the Duties of Customs now charged on the articles under-mentioned, the following Duties of Customs shall be charged thereon, on importation into Great Britain or Ireland, viz.:

On and after the twenty-eighth day of May, one thousand eight hundred and seventy-three,—

Sugar, viz.:—	£	*s.*	*d.*
Candy, Brown or White, Refined Sugar, or Sugar rendered by any process equal in quality thereto, and manufactures of Refined Sugar . the cwt.	0	3	0

On and after the eighth day of May, one thousand eight hundred and seventy-three,—

Sugar not equal to Refined:—			
First Class . . the cwt.	0	2	10
Second Class . . ,,	0	2	8
Third Class . . ,,	0	2	5
Fourth Class (including Cane Juice) . . . the cwt.	0	2	0
Molasses . . . ,,	0	0	10
Almonds, Paste of . ,,	0	2	4
Cherries, Dried . , ,,	0	2	4
Comfits, Dry . . ,,	0	2	4
Confectionery, not otherwise enumerated . . the cwt.	0	2	4
Ginger, Preserved . ,,	0	2	4
Marmalade . . ,,	0	2	4
Plums preserved in Sugar ,,	0	2	4
Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated . . . the cwt.	0	2	4

And that the said Duties shall be paid on the weights ascertained at landing.

Resolution *agreed to.*

Motion made, and Question proposed, "That, &c."

Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That on and after the eighth day of May, one thousand eight hundred and seventy-three, in lieu of the Drawbacks now allowed thereon, the following Drawbacks shall be paid and allowed on the undermentioned descriptions of Sugar refined in Great Britain or Ireland on the Exportation thereof to Foreign parts, or on removal to the Isle of Man for consumption there, or on deposit in any approved warehouse, upon such terms and subject to such regulations as the Commissioners of Customs may direct for delivery from such warehouse as ship's stores only, or for the purpose of sweetening British Spirits in Bond (that is to say):—

	£	*s.*	*d*
Upon Refined Sugar in Loaf complete and whole, or Lumps duly Refined, having been perfectly clarified and thoroughly dried in the stove, and being of an uniform whiteness throughout; and upon such Sugar pounded, crushed, or broken in a warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate shipment, and then packed for Exportation in the presence of such Officers, and at the expense of the Exporter; and upon Candy . for every cwt.	0	3	0
Upon Refined Sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample No. 2, approved by the Lords of the Treasury, and which shall not contain more than five per centum of moisture over and above what the same would contain if thoroughly dried in the stove for every cwt.	0	2	10
Upon Sugar refined by the centrifugal or by any other process, and not in any way inferior to the Export Standard Sample No. 1, approved by the Lords of the Treasury . . for every cwt.	0	3	0
Upon other Refined Sugar unstoved, being bastards or pieces, ground, powdered, or crushed:—			
Not in any way inferior to the Export Standard Sample No. 3, approved by the Lords of the Treasury for every cwt.	0	2	10
Not in any way inferior to the Export Standard Sample No. 4, approved by the Lords of the Treasury for every cwt.	0	2	8
Not in any way inferior to the Export Standard Sample No. 5, approved by the Lords of the Treasury for every cwt.	0	2	5
Inferior to the above last-mentioned Standard Sample for every cwt.	0	2	0

MR. HERMON asked up to what period the drawbacks would be allowed? He supposed between the 8th and 28th of May.

THE CHANCELLOR OF THE EXCHEQUER said, that the drawback would continue at the old rate until the 8th of May, and from that time the new rate of drawback would be allowed. The duty on refined sugar would be continued at the present rate until the 28th of May, to give refiners an opportunity of getting rid of their stocks on hand. They did not, however, ask, nor was it necessary, that the drawback should last longer than the period when the duty on refined sugar was taken off.

Resolution *agreed to.*

Motion made, and Question proposed,

"That, in lieu of the Duties of Excise now chargeable on Sugars made in the United Kingdom, the following Duties of Excise shall be charged thereon (that is to say):

		£	*s.*	*d.*
On and after the eighth day of May, one thousand eight hundred and seventy-three, Candy, Brown, or White Refined Sugar, or Sugar rendered by any process equal in quality thereto, and manufactures of Refined Sugar	the cwt.	0	3	0
Sugar not equal to Refined,—				
First Class	the cwt.	0	2	10
Second Class	,,	0	2	8
Third Class	,,	0	2	5
Fourth Class	,,	0	2	0
Molasses	,,	0	0	10

That, on and after the eighth day of May, one thousand eight hundred and seventy-three, in lieu of the Duties of Excise now chargeable upon Sugar used in Brewing, there shall be charged and paid upon every hundredweight, and in proportion for any fractional part of a hundredweight, of all Sugars which shall be used by any Brewer of Beer for sale in the brewing or making of Beer, the Excise Duty of Nine shillings and Six pence.

Resolutions to be reported upon *Monday* next;

Committee to sit again *To-morrow.*

REGISTER FOR PARLIAMENTARY AND MUNICIPAL ELECTORS (*re-committed*) BILL.—[BILL 105.]

(*Mr. Attorney General, Mr. Hibbert.*)

COMMITTEE. [*Progress 21st April.*]

Bill *considered* in Committee.

Clause 5 (Clause A.—Registration of lodgers.)

SIR CHARLES W. DILKE moved to add, in page 3, at end, as a fresh paragraph—

"Lodgings occupied by a person in any two successive years shall not be deemed to be different lodgings by reason only that in either of such years he has in addition to such lodgings also occupied some other room or place."

THE ATTORNEY GENERAL said, that he had no objection to the words being added.

Amendment *agreed to.*

On Motion, "That the Clause, as amended, stand part of the Bill,"

MR. C. E. LEWIS moved to leave out the clause altogether, on the ground that it was important that the lodger clause should be guarded against abuse. In small boroughs fraud could not so well be committed by the putting forward of false claims with success; but in such boroughs as Westminster a man who was upon the list for next year had only to make a claim in the form prescribed in the Schedule to the Act in respect of lodgings, and he would be entitled to go upon the list just as if he had given evidence in support of the claim, whether it were well-founded or not. The sole protection against fraud was that the party making the claim should appear in person; but as the clause stood there was no possible chance of a thorough sifting of the register.

THE ATTORNEY GENERAL said, that the clause placed the lodger franchise in the same position as other franchises. If a lodger made a claim and it was unobjected to, he obtained his vote. If it was objected to, the objection would be heard and decided on its merits; should it fail, the party making it would have to pay the costs; should it succeed, the lodger lost his vote.

MR. COLLINS observed that at present every claimant had to prove his claim in order to get on the register, and that duty should still be imposed on him, though he might be absolved from proof year after year. Every possible precaution ought to be taken to keep the register pure.

MR. JAMES supported the clause as a step in the right direction towards doing justice to lodgers by relieving them from the *onus* of making their claims year by year. If the clause were rejected a large number of voters would be practically disfranchised.

MR. CHARLEY thought the clause, if retained, would lead to the manufacture of rotten votes.

Clause *agreed to.*

Clause 6 *agreed to.*

Clause 7 (Arrangement of register of electors.)

MR. HIBBERT moved an Amendment, providing that the registration should be performed by the town clerk of the borough in which the nomination took place.

MR. LOCKE asked how boroughs in which there was no town clerk would be affected by the Amendment?

MR. HIBBERT said, that the existing Registration Acts, which were incorporated in this Bill, provided that in Southwark and Westminster the duty should be performed by the high bailiff, and in other boroughs where there was no town clerk by the person who performed the town clerk's duties.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 8 *agreed to.*

Clause 9 (Double qualifications.)

MR. BRAND moved, in page 7, at end to add—

> "Where a person is entitled to be registered as a voter for a county in respect of distinct qualifications in two or more polling districts of the same county, he shall be entitled to be registered and to vote in respect of such one of the qualifications as he may select, but not in respect of more than one; and it shall be the duty of every revising barrister in revising the lists of voters for any county to erase (subject to the right of selection above mentioned) from the lists for every polling district in the same county except one, the name of every person who appears to him to be entered in more than one of such lists."

MR. ASSHETON CROSS objected to the Amendment, because he did not see why a voter was to be put to an election where he was to be registered, and because it would be unworkable, or disfranchise people unfairly.

MR. GOLDNEY said, that great inconvenience would be caused if the Amendment were adopted.

MR. WYKEHAM MARTIN opposed the Amendment, which, he said, might possibly secure a very trifling improvement, at the risk of a great injustice.

MR. CAWLEY said, that as the clause stood there would be a great risk of men being disfranchised.

MR. COLLINS recommended that the clause should be brought up in an amended form on the Report.

MR. JAMES said, that if a man's name was allowed to appear on the register for four or five different places there would be great room for personation, and if it was necessary to guard against this in boroughs it would be still more so in counties.

MR. GATHORNE HARDY denied that there was any proof of personation being carried on in counties because a person's name appeared on the register for different qualifications.

MR. GOLDSMID objected to the proposed addition to the clause.

THE ATTORNEY GENERAL said, the clause related simply to boroughs, and he did not think it open to much objection, but there might be some difficulty in its practical working, and he thought the Amendment might be adopted in a modified form.

MR. BRAND said, he was quite satisfied with what had fallen from the hon. and learned Attorney General, and he would withdraw the Amendment for the present, in order that it might be brought up again in an altered form.

MR. HUNT moved that the Chairman be directed to report Progress, and then the Amendment could be brought up when the Committee was resumed.

Motion *agreed to.*

Committee report Progress; to sit again *to-morrow.*

CONVEYANCING (SCOTLAND) BILL.

(*Mr. Secretary Bruce, The Lord Advocate, Mr. Winterbotham.*)

[BILL 108.] SECOND READNG.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Lord Advocate.*)

MR. GORDON said, he might call this Bill the fourth edition of the measure introduced by the Government on the subject of land rights and conveyances in Scotland, and yet without one single word of explanation, the right hon. and learned Lord Advocate asked the House to assent to its second reading. But there was another Bill having reference to the same subject—the Land Rights and Conveyancing (Scotland) Bill —which was also down for that night, and it seemed to him that the proper course to follow would be that either a Commission should be issued to inquire into the whole subject, or that both Bills should be referred to the same Select Committee. In Scotland the system of the tenure of land was in connection with an excellent system of registration, called the Register of Sasines, which provided for the security of titles and disclosed all the burdens which affected land. In 1833 a Commission was appointed to consider the desirability of certain changes in the law of registration—it reported in 1838, and the Commissioners recommended a number of improvements in the existing law with regard to titles, and also with the view of saving expense, and all those recommendations save two had been carried out. When he (Mr. Gordon) had the honour to hold the office of Lord Advocate he introduced a Bill for consolidating all these statutes; but he found it impracticable to frame such a measure without greater consideration than he had been allowed to give to it; he had therefore introduced a Bill in the present Session which showed the manner in which the recommendations of the Commissioners of 1833 could be carried out. The Report recommended the continuance of the present system with certain modifications for the better security of titles, and the diminution of the expense: but the present Bill of the right hon. and learned Lord Advocate, though it did not profess to abolish the feudal system dealt with the rights of the superiors as if they were real burdens upon the rights of property, and not the rights of property themselves; for it would deprive the superiors of valuable rights which they at present possessed as proprietors. But the question arose what benefit would be derived by the vassal by this departure from the recommendations of the Commissioners, and changing the superior's right as a right of property, and converting it into a right of mere security? None whatever. It did not make the proceedings any cheaper; it did not effect any economy in the matter; and therefore they were asked needlessly to change a system which was well understood by setting up a new system which depended upon a statutory enactment. The expenses of titles in Scotland were not so great as one might suppose—for the reason that solicitors were not paid by the length of their conveyances, as in England, but by *ad valorem* fees, less in amount than the fees paid to a stockbroker for the transfer of stocks and shares, and the agent employed became liable for the security of the title. Some of the provisions of the Scotch law which the Bill proposed to abolish were of the highest value—such as the inquiry into the rights of heirship and the matter of services, as to which professional men in England had often expressed to him their admiration. He thought that a Commission ought to be appointed to report upon the whole subject, or that both Bills should be referred to a Select Committee who should be empowered to take evidence.

The LORD ADVOCATE said, that he had heard the speech of his right hon. and learned Friend with some surprise. The question before the House was that the Bill should be read a second time; but his right hon. and learned Friend had not used one single argument against the second reading, but had only discussed a number of things relating to the details of the Committee, and which it would be very proper to take into consideration while the Bill was in Committee. Upon several points to which his right hon. and learned Friend had referred, he had unfortunately been so obscure that he (the Lord Advocate) had been unable to catch his meaning. Some alterations in the law no doubt were proposed; but for the most part the remedies of the superiors were left much as before. The provision for abolishing services was not introduced by this Bill for the first time, for it would be found in the Bill of last year, and had been received with great approbation by all the legal bodies in Scotland.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

SIR EDWARD COLEBROOKE said, he thought the proposal of the Government conferred a great boon upon the feuars in simplifying their title and enabling them to convey property easily and cheaply. But the Bill itself was open to criticism, and would have to be much modified before it would meet the rights of the different interests involved.

MR. C. DALRYMPLE complained that the Lord Advocate had abstained from any explanation of the provisions of the Bill, and gave notice that, if it should be read a second time, he would move that it be referred to a Select Committee.

MR. ORR-EWING thought that some change in the existing law was demanded by all Scotland. It seemed to him that the two Bills ran much alongside each other and he did not see why they might not be fused together in Committee of the Whole House without sending them to a Select Committee.

MR. M'LAGAN said, that he had originally intended to support the Bill, but within the last 24 hours he had received such strong representations from Scotland, that he intended to support the Motion for a Select Committee.

Mr. CRAUFURD said, he was surprised to find the Scotch Members, who were ready to complain of the difficulty of finding time for the transaction of Scotch business, should be so anxious to see this Bill talked out. He hoped the House would support the second reading, and that they should not hear any more of going to a Select Committee upstairs. When they got into Committee of the Whole House, whatever Amendments were necessary could be made.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

LOCAL GOVERNMENT BOARD (IRELAND) PROVISIONAL ORDER CONFIRMATION BILL.

On Motion of The Marquess of Hartington, Bill to confirm a Provisional Order made by the Local Government Board for Ireland relating to the town and borough of Wexford, *ordered* to be brought in by The Marquess of Hartington and Mr. Baxter.

Bill *presented*, and read the first time. [Bill 139.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Friday, 25th April, 1873.

MINUTES.]—Public Bills—*Second Reading*—Portpatrick Harbour (71).

Third Reading—Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) * (46), and *passed.*

ARTILLERY—FOREIGN BREECH-LOADING GUNS.—QUESTION.

The Earl of LAUDERDALE, according to Notice, rose to ask a Question of Her Majesty's Government relative to the late improvements in foreign breech-loading guns. No doubt their Lordships were aware that great changes and improvements had been effected within the last two or three years both in field pieces and great guns, and it was therefore the more necessary that we should keep a look-out for what was being done by other nations—more particularly as some of them appeared to be adopting a system which we had given up and discarded — namely, the breech-loading plan. We were the first to take up the system of breech-loading artillery, and we gave it up after what he did not consider a sufficiently long trial. It was odd that other nations should be adopting it after, of course, having considered the reasons which had induced us to give it up. No doubt they adopted it because they were of opinion that it afforded much greater facility for loading, and consequently gave a greater quickness of fire, and that the men who served breech-loading guns could be perfectly out of rifle shot. He admitted that a system which would answer very well for field guns would not necessarily answer for guns of 25, 30, or 40 tons—that was his opinion; but we ought not to omit paying due attention to the fact that guns of 35, 40, and, he was told, 50 tons were being manufactured by other nations on the breech-loading principle. Ever since armour-plating was brought into use for ships and forts there had been a constant race going on between plates and guns. We had been building guns of 12, 18, and 25 tons, until at last we turned out what was regarded by us to be a wonder of the world—this was "the Woolwich Infant," which was manufactured about three years ago—at which time it was supposed to be the most powerful gun that any country possessed—but judging from what he saw in the newspapers it was exceeded by something manufactured elsewhere. The only 35-ton guns we had for sea service—and he believed they were four in number—were on board the *Devastation,* which for her armament entirely depended on those guns. In his opinion, and that of several naval officers and artillery officers whose opinion was entitled to respect, the plan of rifling now in practice with us was not the best one. Foreign nations were adopting a different plan. In our large guns the shot was rotated by a small stud, which was not more than half an inch in diameter. Now in a 35-ton gun throwing a shot of 700 lb., and fired with 110 lb. of powder, such a stud could not last very long. The French were said to be manufacturing a gun which was to be an improvement on our 35-ton gun, which it had been supposed nothing could beat.

The new French gun was said to have a 12½-inch bore, which was half an inch greater than ours; it weighed a ton less than ours — 34 tons, instead of 35 tons — and it threw a shot of 850 lb. fired with 137 lb. of powder. The result was an initial velocity and a range much exceeding ours. As to rifling, while he did not believe Captain Scott's plan was perfect, he did believe it was much superior to that in use for our guns. As to the length and weight of guns there was no limit on these points as far as artillery on shore was concerned; but in the naval service length was of much importance, because the longer the gun the larger the turret required. He hoped to hear from the noble Marquess the Under Secretary for War that Her Majesty's Government were alive to the importance of what was being done by other nations in respect to improvements in artillery.

THE MARQUESS OF LANSDOWNE said, he had no doubt that in placing his own opinion on record the noble and gallant Earl had attained one of the objects which had induced him to make the inquiry which he had just addressed to the Government because he gathered from his concluding words that his purpose in asking these questions was simply to obtain an assurance that the War Department was exercising due vigilance with regard to the experiments of continental artillerists, and was prepared to profit by the experience of other countries. In reply he could assure the noble and gallant Earl that the Department had not only very ample but very accurate information as to the progress of the science of artillery by other nations; but, as the noble and gallant Earl must no doubt be aware, a considerable portion of the information obtained on such subjects for the use of the Government was such as it was customary to treat as confidential, and therefore he would not expect him to depart from usage by entering into details as to the information to which his question had reference. As to the technical matters discussed by the noble and gallant Earl, he hoped he would excuse him from following him over that ground, and allow him to express his opinion that questions of that kind were better relegated to the responsible Department of the Government than dealt with by discussion in either of the Houses of Parliament. He should not, however, like it to be supposed that experiments recently made had led to any mistrust of or dissatisfaction with the guns now in use in our service. On the contrary, he was in a position to say that not only in the opinion of the highest English authorities, but also in that of distinguished foreign officers of artillery, both our field-guns and our heavy guns were eminently satisfactory. He might add that there was no well-grounded apprehension of our being left behind in any competition with foreign artillery. He believed that we were able to make larger forgings of metal than any other country. We had recently erected at Woolwich a steam-hammer, the power of which was in excess of that possessed by any other nation. Then, in the article of powder, we could hold our own. For every type of gun, as he understood, there was a particular kind of powder. He was informed that to the particular kind of powder with which the gun was fired some of the results alluded to by the noble and gallant Earl were to be attributed, and that we were able to make powder of any kind as well as any other nation. Again, we enjoyed another great advantage—namely, that in no other country were experiments conducted on so large and complete a scale as in England. He was happy to say that recently an officer accredited by the War Department had been allowed to be present at a series of experiments in France, and that he had been very courteously received by the French Government. If the noble and gallant Earl required for his own satisfaction any further information which it was in the power of the War Department to give him, the Department would be happy to communicate it to one so able and experienced in matters relating to ships and guns.

THE EARL OF LAUDERDALE was understood to say he doubted that we could turn out any gun equal to Krupp's gun manufactory at Essen.

THE MARQUESS OF LANSDOWNE said, that two years ago the Superintendent of the Woolwich factory said he was prepared to make a 60-ton gun if the Government required it. He believed that at the present moment the Superintendent would be prepared to undertake the manufacture of one of 100 tons.

PORTPATRICK HARBOUR BILL. (No. 71.)

(*The Earl Cowper.*)

SECOND READING.

Order of the Day for the Second Reading, read.

The Marquess of LANSDOWNE (on behalf of Earl Cowper) in moving the Second Reading of the Bill explained that its object was to relieve the Board of Trade from the statutory liability to maintain the works at Portpatrick Harbour, which was vested in them because that harbour had been a station for packets between Portpatrick and Donaghadee. Now that it was no longer a packet station the Board of Trade wished to be relieved of it.

The Duke of RICHMOND said, there would be no objection to the Bill if any means of maintaining the harbour when the Board of Trade was relieved of it were provided. Could the noble Marquess state who was to take charge of its maintenance. If there were no authority to undertake that charge, the harbour would go to ruin when the Board of Trade was relieved of it.

The Marquess of LANSDOWNE said, he could not then answer the question in a positive manner; but many harbours were maintained by local authorities, and he supposed that would be the case in this instance. He would, however, make inquiry on the subject, and at the next stage of the Bill would be prepared to give their Lordships some definite information on the point.

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday next.*

House adjourned at a quarter before
Six o'clock to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 25th April, 1873.

MINUTES.]—Supply—*considered in Committee* —Civil Service Estimates.

Public Bills — *Second Reading* — Fishery Inspectors (Ireland) * [136].

Committee — Married Women's Property Act (1870) Amendment * [7]—R.P.

Committee—Report—Canonries * [18].

AFRICA—WEST COAST SETTLEMENTS —THE ASHANTEE INVASION.

QUESTIONS.

Sir JOHN HAY asked the Under Secretary of State for the Colonies, Whether Her Majesty's Government have any authentic information of the defeat of the forces of the British Protectorate on the Gold Coast by the Ashantee army; And, what steps are being taken to resist the invasion and to protect the British settlements at Cape Coast Castle? He also asked (for Mr. M'Arthur), What steps Her Majesty's Government had taken to repel the Ashantee invasion of the protected territories on the Gold Coast, the army of that power being, by last accounts, within twenty miles of Cape Coast Castle; and, if it be true that Mr. Salmon has been sent to Cape Coast; and, if so, with what instructions?

Mr. KNATCHBULL HUGESSEN: Sir, Mr. Salmon is Collector of Customs at the Gold Coast, and he had been on leave in this country. He was sent back in consequence of the illness of Colonel Harley, the Administrator of the Gold Coast, who, however, had happily recovered. Mr. Salmon's instructions were to resume his duties and assist the Administrator, but I regret to say that he has been seized with illness on the journey, and has turned homewards from Madeira. Our last accounts of the Ashantee invasion were to the effect that there had been an engagement between the Fantee tribes and the invading army at a place called Yankumassie, distant 30 miles from Cape Coast Castle. That engagement had terminated favourably to the invaders, but they appeared to have suffered considerably, and had not advanced further at the date of our Despatches. As to the steps which have been taken "to resist the invasion and to protect the settlements," I will read to the House the Instructions given in 1864 in a similar case of Ashantee invasion by the then Secretary of State for the Colonies (Mr. Cardwell) before I state those steps. Writing to Governor Pine, Mr. Cardwell said—

> "The duty of defending the extensive territory included in the Protectorate can only be satisfactorily discharged if the chiefs to whom it belongs are united and resolute in their own defence. The proper course, therefore, is to take every possible means for bringing the chiefs to

an united and decided system of defence, and for this purpose to give them advice, to supply them judiciously with military stores, and in concert with the officer in command of the forces, to furnish them with such assistance as he may be able to afford, without exposing his officers and men to any protracted residence in the interior, and without weakening his force upon the coast so as to endanger the safety of the settlements themselves."

Now, Sir, for the steps which have been taken. A reinforcement of 100 men of the 2nd West India Regiment has arrived from Sierra Leone; 150 of the Houssa Police—a most serviceable force —have also been sent to the Gold Coast. Colonel Harley, who has had long experience of that coast, and in whose ability and military skill we have the highest confidence, has taken every possible step to unite and combine the tribes of the Protectorate. Supplies of arms and ammunition were already in the forts—further supplies were sent some time since, and additional large supplies have lately been sent, while active steps have been taken to prevent arms and ammunition reaching the invaders. Two ships of war—the *Seagull* and the *Decoy*—are at Cape Coast, and a paddle steamer has been sent out as being more generally useful than screw steamers. Colonel Harley reports that the forts both at Cape Coast and Elmira are strong and well-provisioned, and we sent out some time since further large stores of provisions to guard against any possible contingency. I may add that Colonel Harley had arrested the King of Elmina, who had refused to take the oath of allegiance, which step had been well received by the loyal population, and which, together with the other prompt and active steps taken by the Administrator, has the full approval of Her Majesty's Government.

AFRICA (WEST COAST)—LAGOS.

QUESTION.

SIR THOMAS BAZLEY asked the Under Secretary of State for the Colonies, Whether he is aware that from existing disruptions at Lagos and on the neighbouring continent the commerce of those districts has greatly diminished; exports, imports, and the public revenue being all seriously reduced in amounts; whether any reasonable or early restoration of the means of resuming business may be expected; if he would state to the House whether Lagos, with its British residents and their property, retains its usual defence, or has been deprived of that defence; and, whether Negroes under persecution and in slavery, having taken refuge in Lagos, have been surrendered to their assumed owners?

MR. KNATCHBULL-HUGESSEN: Sir, it is quite true that there has been much interruption of the commerce and trade of Lagos, owing to the action of the neighbouring tribes, though there has been such a considerable receipt of duties at the Custom House, in spite of all difficulties, as to prove that peace and tranquility are alone needed to render Lagos a most flourishing settlement. When we are dealing with fickle and savage tribes, it is hardly safe to prophecy as to their course of action; but the judicious attitude maintained by Administrator Berkeley opens out a prospect of better things. In his last letter he states that he had received a communication from the Egbas and Jebus, which was likely to lead to explanations which it is hoped would bring about a more satisfactory condition of affairs. As to the question of defence, it is true that 150 of the Houssa Police had been sent to the Gold Coast, but steps were being taken to maintain the local detachment at its full strength, and no apprehension was entertained of any attack on the settlement. A ship of war had, however, gone to Lagos. Mr. Berkeley had made an expedition to a part of the country where difficulties had been reported to exist, and had found those difficulties to have been greatly exaggerated. As to negroes having been returned to slavery from Lagos, it was true that complaints had been made, which, on careful inquiry having been instituted, turned out to be somewhat exaggerated, but not without foundation. Nothing of the kind, however, had occurred since the arrival of the present administrator, and the most stringent order had been sent out from home to the effect that British territory must in every part of the world be free territory; in which the slave might find a safe harbour of refuge.

FISHERIES (IRELAND).

QUESTION.

MR. BUTT asked the Chief Secretary for Ireland, Whether it is his intention to take any steps, in accordance with the assurance given last Session, to apply the balance of the Irish Reproductive Loan Fund in aid of the Irish Fisheries; and, whether any other, and if so what, appropriation of that balance, or any portion of it, has been proposed to the Irish Government?

THE MARQUESS OF HARTINGTON, in reply, said, the language he used last Session did not warrant the statement that he gave an assurance that the balance of the fund should be applied to the Irish fisheries. All he said was, there was just a possibility of its being done; but he stated that legislation would, probably, be necessary for the purpose. Having inquired further, he found that no part of that fund could be applied to this purpose without legislation. He, accordingly, made a proposition to the Treasury on the subject—in reference to the introduction of a Bill; but to his letter no official reply had as yet been received, he had, however, ascertained that the Chancellor of the Exchequer had had the subject under consideration, and he did not think it would be desirable to legislate on the subject of this fund in the limited manner suggested; indeed, he considered the whole system of the management and application of this fund highly objectionable, and that some means should be adopted for relieving the Treasury altogether from the management and application of it. The subject was now under the consideration of the Government. He was not aware that any application for a proportion of the balance had been made—certainly not to the Irish Government.

MERCANTILE MARINE—WRECK OF THE "ATLANTIC."—QUESTION.

SIR JOHN PAKINGTON asked the President of the Board of Trade, Whether the investigation lately held at Halifax into the loss of the steamship "Atlantic," was held by the officer of Customs there on his own mere motion and responsibility, or under the authority and directions of the Governor in Council of the Dominion; whether it was held in accordance with the requirements of any and what Colonial Ordinance regulating the conduct of inquiries into wrecks; and, whether, in the event of the Halifax inquiry having been illegal and invalid, the Board of Trade will order another inquiry into the circumstances of the loss of the ship?

MR. CHICHESTER FORTESCUE: Sir, I am unable to give a complete answer to the right hon. Baronet in consequence of the absence of the official Minutes of the inquiry at Halifax, and until they have been received I can only say what we know at present. The inquiry lately held at Halifax purported to have been held under the powers of a Colonial Act passed under the authority of the Imperial Merchant Shipping Act, under which the Dominion authorities have the power to hold inquiries in all respects similar to the inquiries held in this country under the direct authority of the Merchant Shipping Act. Whether all proceedings in connection with the inquiry at Halifax were regular or not I am not able positively to say. I must at the same time say, according to our experience, Canadian inquiries of this kind are generally well looked after. The result of this inquiry has been that the captain's certificate has been suspended for two years. If that inquiry has not been regular, it can be had over again in this country; if it has been regular, and in strict accordance with the law, the captain, cannot be tried over again so far as his certificate is concerned. Whether any further proceedings should take place affecting the captain or officers, it will be impossible for us to say until the official Minutes shall have been received. There is, however, another separate subject which can only, and must be inquired into in this country—namely, the allegations that the quantity of fuel and provisions on board the *Atlantic* was insufficient, and that this circumstance necessitated her going out of her course. This affected, in the first place, the conduct of her owners, and also the conduct of the officers of the Board of Trade; and into this matter, which can only be properly investigated at Liverpool, I have ordered a full and searching inquiry to be held. I may add that a wish that such an inquiry should be instituted was strongly expressed by the owners of the *Atlantic.*

POLICE INTERFERENCE WITH POLITICAL PLACARDS—NOTTINGHAM.

QUESTION.

MR. AUBERON HERBERT asked the Secretary of State for the Home

Department, If his attention has been called to the conduct of the chief constable of the Nottinghamshire Constabulary, in destroying a posting bill in which a meeting of persons holding Republican opinions was announced; and, what power the Secretary of State possesses of censuring the conduct of a chief constable of County Constabulary?

Mr. BRUCE: Sir, I believe the facts of the case are these—A gentleman who is chief constable of the county of Nottingham, being in the town of Nottingham, where he has no jurisdiction, put his stick through a placard which purported to call a meeting of those who held Republican opinions. He was summoned for malicious trespass; but the case was dismissed, on the ground that the wall on which the placard had been posted belonged to the Corporation, and that the Corporation had not given their permission for the posting of the placard. At the same time, I am bound to say I cannot approve the conduct of the chief constable in acting as he did. Either such a placard was legal or illegal; and if it were illegal means ought to have been taken to indict the persons who had committed an offence against the law. On the other hand, if it were legal, however offensive the contents of the placard might be to the feelings of this gentleman, he, as a representative of the law, ought not to have allowed himself to be carried away by his feelings. With regard to the latter part of the question, I have to remark that the Secretary of State has no direct means of censuring a chief constable of county constabulary.

POST OFFICE—TELEGRAPH DEPARTMENT—PURCHASE OF THE MIDLAND RAILWAY SYSTEM.

QUESTION.

Mr. PLUNKET asked the Postmaster General, If he would state to the House what amount of money was paid by the Post Office to the Electric Telegraph Company for its rights over the Midland Railway system; when the agreement under which such rights were enjoyed by the Electric Telegraph Company will terminate; and, the amount (if any) which has been claimed by the Midland Railway Company from the Post Office in respect of their reversionary interests on the termination of such agreement?

Mr. MONSELL: Sir, if the hon. and learned Gentleman will refer to the Schedule, he will find that the Electric Telegraph Company received, under the Telegraphs Act of 1868, 20 years' purchase of their entire net profits over the whole system during the year ending June, 1868. The amount of the purchase money is stated in the Telegraphs Act of 1869—namely, £2,938,826. The claims of the Midland Railway Company are disputed by the Post Office, and will be the subject of arbitration. I think the hon. and learned Gentleman will agree with me that no information respecting them ought to be given pending the arbitration.

Mr. PLUNKET said, the right hon. Gentleman had not stated when the agreement would terminate.

Mr. MONSELL: That is one of the things which I think ought not to be stated during the arbitration.

IRELAND—PURCHASE OF IRISH RAILWAYS.—QUESTION.

Mr. GOLDSMID asked the noble Lord the Member for Tyrone (Lord Claud Hamilton) a Question of which he had given him private Notice. Considering that the question of the purchase of the Irish Railways was involved in the question of the purchase of all the Railways by the State, a Notice relating to which subject had been given by the hon. Member for Kidderminster (Mr. Lea), would it not be desirable for the noble Lord to postpone the Motion which he had on the Paper for Tuesday next in reference to the purchase of the Irish Railways?

Lord CLAUD HAMILTON, in reply, said, he thought not, for the reason that a different principle applied to Irish railways. He did not see that there was any close connection between them and the railways of England and Scotland. If the Irish railways had been in the same state of prosperity as those of England and Scotland, he should never have given Notice of his Motion.

SUPPLY.

Order for Committee read. Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

GALWAY ELECTION PETITION— TRIAL OF ELECTION PETITIONS.

RESOLUTION.

MR. O'CONOR, in rising to call attention to the judgment of the Court of Common Pleas in Dublin in the case of the late Galway Election Petition, and to the state of the Law relating to the trial of Parliamentary Election Petitions; and to move—

> "That, in the opinion of this House, the present system of trying Election Petitions is unsatisfactory and requires alteration,"

said, he should not make any long remarks on the judgment delivered in Galway by Mr. Justice Keogh, as it had already been fully discussed by the House and the country; but between Mr. Justice Keogh's judgment and that of the Court of Common Pleas in Dublin there was a wide distinction, and it was to the latter judgment that he should for the most part confine his remarks. He had not the slightest wish to challenge the right of the hon. and gallant Member for Galway (Major Trench) to a seat in that House, but thought it would have been much better if he had been elected by a majority of the constituency than seated by a decision of the Court of Common Pleas in Dublin. Now the fact was, that out of a constituency of 4,000, more than 3,000 voted for Captain Nolan, whilst only 658 voted for Major Trench, to whom the judgment of the Court of Common Pleas gave the seat, notwithstanding that he polled only a small fraction of the constituency. In the course of the last Session during the discussion on the Ballot Bill, the hon. and learned Baronet the Member for Reading (Sir Francis Goldsmid) moved an Amendment to the effect that when the candidate at the head of the poll was guilty of corrupt practices, and where the second candidate on the poll received one-third of the votes of the constituency, he should be declared to be the sitting Member. During that discussion several strong expressions of opinion were uttered by influential Members, and the Solicitor General said it was contrary to the practice and law of Election Petitions that any Member should be allowed to take his seat unless he had polled a majority of votes. He (Mr. O'Conor) was well pleased when he found that the Attorney General and the Vice President of the Council expressed similar sentiments, and that the House, acting on that view, rejected the Amendment of the hon. and learned Member for Reading. Within two months afterwards, however, the Galway trial came up and shattered the Solicitor General's law, and the principle was introduced which the House had condemned and the Government had thought it undesirable for the House to adopt. Hitherto he had no opportunity of discussing the matter; beyond that he had expected to be told early in the present Session that the Government intended to bring in a Bill to make the Act permanent, which enabled the Judges to try Election Petitions. The Attorney General, however, informed him that he had no intention to do anything of the sort, and the only course open to him accordingly was to bring the subject before the House by moving the present Resolution. Under the Act of 1868 giving power to the Judges to try Election Petitions they were declared to be Judges both of law and fact. From the decision as Judges of fact there was no appeal, from their decision as Judges of law there was practically no appeal either; but under the 12th section power was given to them to reserve questions of law, if they saw fit, to the Court of Common Pleas. Now, it occurred, that in the Galway case, Mr. Justice Keogh decided that Captain Nolan was not duly elected, and further, that previous to the election, he was not a qualified candidate, but he reserved two questions for the Court of Common Pleas —first, were the electors who formed the majority fixed with sufficient knowledge of Captain Nolan's incapacity, and should they have acted upon it; and, secondly, whether, supposing the first question were decided in the affirmative, Major (then Captain) Trench was entitled to the seat? It was doubtful whether the first question ought to have been reserved at all, because the Act did not give the Judge the power to reserve questions of fact, but only of law, and accordingly it was the opinion of Chief Justice Monahan that the question whether the electors were aware of the incapacity of Captain Nolan ought not to have been submitted to the Court above, and the Chief Justice hoped that the legislature would take into consideration the Report in the Clitheroe case, and establish some principle for the Courts to go upon when such cases arose. The Judges having declared that they could not find in the decisions of Election Committees any principle on which they could depend, formed their conclusion upon the broad principles of common law, that if an elector, knowing a candidate to be disqualified, deliberately voted for him, he thereby threw away his vote. Nobody, however, believed, as a matter of fact, that the great body of the Galway electors, in voting for Captain Nolan, had the least idea that they were throwing away their votes; and it was, he thought, in itself sufficient to show that the Government ought to legislate on this subject when they remembered that they had in that House a gentleman who, without polling more than 650 electors, sat as the nominal representative of 4,000 voters, by virtue of the judgment of the Court of Common Pleas, the Chief Justice of which had declared him not entitled to the seat. It might, perhaps, be suggested —indeed the hon. and learned Member for Limerick (Mr. Butt) had given Notice of a Motion upon the subject—that it ought to be referred to a Select Committee, with a view to their recommending a remedy. To that he had no objection, so long as its reference to a Select Committee was not made a pretext for postponing legislation, for there was no question that legislation upon the subject was necessary; and required to be immediate. He could not help thinking, however, that whatever course were adopted in cases where reserved questions of law came before the full Court, and where the Judges were divided in opinion, there ought to be some further tribunals to which such cases should be submitted. There ought also to be a provision by which litigants in Election Petitions should be entitled to demand a case in points of law as a matter of right. There could be no doubt that the present system of trying Election Petitions was unsatisfactory, although he was quite prepared to admit that the Galway case standing by itself, or even in company with one or two others, would not be sufficient to justify such a change as that for which he was pleading. It could not, he believed, be pretended that the public placed much confidence in the decisions of the present tribunals, their chief effect, as had been well said, being to furnish the corrupt practiser with charts and compass by which to steer his vessel. Indeed, when the new jurisdiction was created it was protested against in the strongest manner by the Chief Justice of the Queen's Bench and by the other Judges; and certainly if any confidence were reposed in it now, that confidence had been of very recent growth, for when the Election Petitions began to be tried under the Judges, there were complaints of the new tribunal from every part of the country. No doubt, the old tribunals were not always free from suspicion of party influence, and in the change which had been made, so far as England was concerned, they had secured a tribunal which might be said on the whole to be free from that reproach. In Ireland, however, the tribunals were composed of strong party men —for it was owing to the services which they had rendered their party that they had attained their judicial position—and it was easy to understand how difficult it was, when a Judge had all his friends arrayed on one side and all his foes on the other, to avoid being swayed by feelings in favour of his friends. It was not fair to the constituencies, to the candidates, or to themselves that the Judges should be placed in such a position, for by the present system a single Judge was sent to decide both the law and the fact, and from his decision there was no appeal. That was too much power to give to give to a Judge in important cases like these. By the ordinary principles of law a single Judge was never allowed to decide questions of fact without appeal, and in matters of this important character it would be well to adopt the same principle. In short, he knew no branch of English law in which the same procedure was adopted as in Election Petitions. The other evening, on the discussion of the Railway and Canal Traffic Bill, objection was taken to the proposal to vest the Commissioners with power to decide on questions of law and fact, on the ground that no such power existed in any other tribunal. The hon. and learned Gentleman the Solicitor General, however, defended the provision, and pointed to what he termed the precedent of the Court of Chancery. The hon. and learned Gentleman, however, forgot that the decisions of the Court of Chancery could be, and were in fact, constantly appealed from, and that they were bound down by rules of evidence and of procedure. Such was not the case as regarded the Election Judges. They might receive evidence that was not legal and reject evidence that was legal, and no means existed of revising their decision. This he submitted was a state of things which should not be allowed to exist if they wished the people of the country to have confidence in the decisions of the tribunal in question. From what he had said the House might imagine that he ought to conclude with moving that the old system of Election Petitions should be reverted to. He confessed that, in his opinion, that would be the best course; but he did not intend to make any such Motion, for he knew it would be hopeless to get the House to acknowledge that it had been in the wrong, by resorting to the method which existed previous to 1868. All he would do was to ask the House to consider carefully whether it would not be advisable to make a change in the principle of trying the Election Petitions by one Judge. It would be productive of the greatest possible advantage if some system were devised which would take from the shoulders of one single Judge the responsibility which now lay upon them, and he was fortified in that opinion by the views expressed by some of the Judges themselves. For instance, when Mr. Justice Willes was examined before the Select Committee in 1869, in reply to a question put by the hon. Member for South-west Lancashire (Mr. Cross) as to whether it would be convenient or satisfactory to the Judges to have four Members of Parliament associated with them on the trial of Election Petitions, he said—"I think two would be sufficient; four would be too many. It would be be the greatest relief to me personally, and would, I think, fortify the tribunal." Mr. Justice Blackburn replied to the same effect—"If two Members of Parliament would serve, it would greatly improve the tribunal and and be an immense relief to me." An effort therefore should, he thought, be made to carry out that Amendment of the law. He would also suggest that, as to questions of law, there should be an appeal, and that in case the Court of Appeal was equally divided in opinion, an appeal to a higher Court should be provided. It was important that time should not be lost in this matter. They were probably on the eve of a General Election, and no hon. Member could tell how soon he might find himself before an election tribunal, sought to be made responsible for the acts of some person who was no agent of his—acts which he would be the first to repudiate and condemn. He therefore hoped the House would concur in the terms of the Resolution he had the honour to lay before them.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present system of trying Election Petitions is unsatisfactory and requires alteration,"—(*Mr. O'Conor,*)

—instead thereof.

MR. COLLINS said, he thought it a very undesirable course for the House to pursue, to proceed to condemn an Act of Parliament, unless they were prepared at the same time to amend it. I would have been far wiser if his hon. Friend the Member for Sligo (Mr. O'Conor) had brought in a Bill to amend the law by introducing a new tribunal, instead of proposing an abstract Resolution, the passing of which must weaken the authority of the House without effecting any change. At the same time, he concurred with his hon. Friend that it would be a hopeless attempt to try to bring back the old system of trying Election Petitions. That system was gone for ever, and there was hardly an hon. Member in the House who could wish to see it revived. The law of the House on this question had always been in a state of great doubt and difficulty, and the questions which had arisen in Committees of the House of Commons depended mainly upon the point whether a candidate was disqualified from the date on which his offence was committed, or whether his disqualification took place from the date of conviction. Although he (Mr. Collins) should have thought that the former view ought to have been taken by the legal portion of the House, yet on this point the most contradictory opinions had prevailed, as the cases of the Cheltenham and Horsham Petitions in 1848 testified. In that year two Select Committees came to conflicting decisions. In both cases the sitting Member had been guilty of bribery at a previous election, but the Cheltenham Committee, while unseating Mr. Berkeley, did not give the seat to his opponent, whereas the Horsham Committee not only unseated Mr. (now Sir) Seymour Fitzgerald, but declared his rival duly elected. When the point was again argued in 1853, the Clitheroe Committee, presided over by Mr. Milnes Gaskell, decided in the same way as the Cheltenham Committee, and in view of the contradictory decisions on record, recommended that the law should be distinctly defined. The last House of Commons, of which he was not a Member, unwisely evaded the responsibility of settling the question, though it must have been aware that it would continue to crop up. For himself, he did not think the candidate of the minority should in all cases be entitled to the seat, but it might be well, as suggested by the hon. and learned Baronet the Member for Reading (Sir Francis Goldsmid), to give it to him if he had polled a certain proportion of the constituency, for that would discourage improper practices. At present English Judges might decide one way and Irish Judges another. He hoped that early next Session—for, unlike his hon. Friend opposite, he did not anticipate a Dissolution prior to that time—the Government would introduce a Bill defining under what circumstances votes were thrown away.

Mr. BUTT, who had a Notice of Motion on the Paper for the appointment of a Select Committee to inquire into the law on the subject, said, that two questions had been brought before the House in the course of the debate. One was the general question as to the unsatisfactory nature of the tribunal, a question which could very well be settled when the House would renew the power of the Crown with respect to Election Petitions which expired during the present Session; and the other, which was a subordinate one, related to the state of the law as to the votes given to disqualified candidates. On the second of these points he wished to say a few words. Twenty years ago he had been one of the Members of the Committee on the Clitheroe Election, in which case the Member returned was impeached on the ground that he had been guilty of treating at the previous election. After sitting three weeks the Committee found that he had been guilty of treating. The seat was claimed for the other candidate, and the Committee came to the decision that the candidate of the minority was elected. It was true the Galway case went on another principle. Chief Justice Monahan, in dissenting from the rest of the Judges of the Court of Common Pleas in Ireland, quoted the Report of the Clitheroe Election Committee with approval, and said it expressed the principles of the common law. When an elector went and voted for a candidate whom he perfectly well knew to be disqualified, he no more discharged the duty cast upon him by the law than if he voted for a dead person or the man in the moon, and his vote was thrown away. But, on the other hand, if the vote was to be deemed to have been thrown away, it should be shown that the voter had the disqualification distinctly in his mind, and his vote must have amounted to an act of wilfulness or perversity. To extend that principle of the law to doubtful cases, where the candidate's disqualification could only be deduced from a long inquiry into a variety of facts, appeared to him a perversion of the law. The decision of the Irish Court of Common Pleas in the Galway case was, he believed, disapproved by the entire voice of the profession both in Ireland and in England. The Court held not only that a large number of the voters must have had notice of the fact that there had been spiritual intimidation exercised, but that the person exercising it was the agent of the candidate. How, in many instances, were the electors to know that? Why, the elector who had a notice in English, telling him that the person for whom he was about to vote was disqualified, might not even know the English language. With a view to remedy such cases, the Clitheroe Committee recommended that a declaratory Act should be passed, providing that a vote should not be deemed to have been thrown away unless it had been perversely and wilfully given for a candidate who the voter knew could not sit in Parliament. He (Mr. Butt) had himself brought in a Bill for that purpose, but he failed to carry it owing to the opposition of his hon. and learned Friend who spoke last. It was, however, not too late to deal with the matter now, and he would suggest as an Amendment, that they should appoint a Select Committee, consisting of persons who were most likely to be acquainted with the law applicable to elections, to consider the existing law as to disqualified candidates. He did not know that he should be able formally to move such an Amendment; but he had no doubt that when the question was settled, it would be settled in accordance with the view of the Clitheroe Committee. As to the tribunal which was now vested with the power of trying Election Petitions, he thought that it was scarcely a satisfactory tribunal. He, therefore, concurred with his hon. and learned Friend who had just spoken in earnestly hoping that when the Bill for continuing the existence of this tribunal should be brought forward, it would be in such a shape that it would afford full opportunity for considering whether the tribunal could be improved, and that it would not be a mere Continuance Bill.

DR. BALL said, that two views might be presented of the rule of law which enabled a candidate who had a minority of votes to take the seat under certain circumstances. One was, that the power of seating a person who had only a minority of votes might operate as a great discouragement to improper practices; because without such power it would be very small terror to a person of great influence that he might himself be liable to be unseated for bribery, when he knew that the effect of that very bribery would at another election operate in favour of his nominee. He had stated last year, that it would be rather a strong measure, where a few had been bribed, to seat the candidate of the minority, who might not have the slightest knowledge of the bribery on the other side. The whole question really depended on the circumstances of the case. If there was any transaction about which it was the interest of the parties concerned to keep silence, it was bribery, nor had the minority in all cases an opportunity of knowing whether bribery had been committed or not. But if the matter of disqualification was or might fairly be inferred to be patent to all, a different rule was applicable. And here he must say, according to his understanding of the case, that Mr. Justice Lawson, who was one of the ablest, most learned, and most impartial of the Irish Judges, did not found his judgment on the circumstance that a paper was placed in the hands of voters alleging that a particular candidate was disqualified, but upon the fact that from what came before Mr. Justice Keogh there was reason to believe that intimidation, not operating in isolated districts or particular cases, but general, extending as embodied influence and affecting the whole country, was patent and notorious. It was on that, coupled with the fact that it was reported by the Judge that the agents of the candidate in the minority were unable to give notice of intimidation in every case, that Mr. Justice Lawson founded his judgment. He (Dr. Ball) was not prepared to say upon principle that any wrong had been done in the Galway case; and, indeed, the matter could not be dealt with upon abstract principle. All the Judges agreed upon principle, and that principle was this—that if there were disqualification accompanied by actual knowledge by the voter who chose to give his vote for the disqualified candidate, it was not unreasonable that the candidate of the minority should be seated. Three of the Judges drew the inference that all the elements were present which ought to go to make up disqualification—namely, notoriety, knowledge arising from the notoriety, prevention of actual service by violence at the moment the voter was entering the booth; and therefore they came to the conclusion in favour of the application of the rule. The other Judge did not, for he was not convinced that knowledge of the disqualification was brought home to the voter in such a manner that his vote should be considered as thrown away. In reality, therefore, the disagreement arose rather from an inference of fact than of law. Now, every tribunal was liable to error, and this liability would be just as great in a tribunal of five as of one, and all that could be done in law was to lay down a principle in itself correct, but the application of that principle by the Judges themselves could not be guarded from error. The other question, where the jurisdiction should be placed, was an important one. It had been suggested by the hon. Member for Sligo (Mr. O'Conor), that the Irish Judges were open to suspicion in this matter, because they reached the bench almost always through being Law Officers; but surely a man might be a Law Officer as well as a politician, and a politician without being a violent politician, and need not carry to the bench that ardour which distinguished young gentlemen who were just entering upon their career, to whom it might naturally appear a matter of import as to whether there was one hon.

Member more or less on either side of the House. In fact, he had never heard any imputation upon the Judges in election matters, until the Galway Election case arose, when no doubt, by agitation, a very strong feeling was got up. Indeed, even before the Court of Common Pleas had decided what the effect of the judgment was, a meeting was called in Dublin by the highest religious authority in a certain denomination for the purpose of condemning the Judge. Then, again, there was no mode of testing or judging this matter as regarded the general question, for the judgments hitherto given, according to his experience, had given general satisfaction, and surely no one would say that the decisions under the old system had given general satisfaction, for those decisions had been most discordant and inconsistent. A question of this kind, however, should not be brought forward on the basis of an isolated case, nor by a private Member; it should be dealt with in connection with the whole system, and be undertaken on the responsibility of the Government.

The ATTORNEY GENERAL thought that no one could complain of the hon. Members for Sligo (Mr. O'Conor), and Limerick (Mr. Butt), for bringing the question under the consideration of the House, for, whether rightly or wrongly, a large amount of public excitement had been created by it, and, indeed, in regard to the Galway Election Petition, he did not wonder at the attention of the public being directed to the tribunal referred to, neither did he regret it. If he should have said anything having the appearance of discourtesy towards his hon. Friends, he could assure them that it was totally unintentional on his part to give them the slightest offence, and he hoped after that explanation his hon. Friends would dismiss any such impression from their minds, but he must say he saw no ground for the present Motions. The first Motion raised the question of the tribunal which Parliament had elected to try these Petitions, and the second, the state of the law in regard to the disqualification of candidates. He would consider the last question first, because there was less to be said upon it. The law was perfectly clear, though the application of the law, he confessed, was somewhat difficult. It was not simply because a vote had been given for a disqualified person that that vote should be thrown away. There must be also a knowledge in the mind of the voter, or an express notice of disqualification conveyed to his mind, of the party for whom he was about to vote being disqualified. Under what particular circumstances knowledge would be held to exist and express notice of disqualification conveyed to the voter was a question of a very different character. He could, therefore, understand how differently constituted minds could arrive at different conclusions. Speaking for himself, he candidly confessed he felt he could not have arrived at the same conclusion upon the facts of the case in question as had been arrived at by the tribunal referred to. That was, however, a very different thing from saying that the tribunal which had arrived at such a conclusion as that under their immediate consideration should be immediately put an end to or be discredited by the votes of that House. There was, moreover, no doubt that the principle was acted upon much further in the Galway case than it ever was before; but errors were incidental to all tribunals, and while they had perfect confidence in the uprightness, integrity, and impartiality of the Judges, they must submit to having important questions like these occasionally decided by a majority of one. The hon. and learned Member for Limerick (Mr. Butt) did not like the idea of a Member being seated by the majority of a divided Court. The Act, however, required the Judges to decide who should sit, and since Parliament had resolved, after deliberation, to require this from them, the position should not be hastily withdrawn from. Indeed, the same thing might have occurred as the result of an inquiry by an Election Committee under the old system. The existing tribunal was erected after great deliberation and argument in that House. It was constituted in the face of the remonstrances of many hon. Members whose opinions were justly entitled to great weight, and he must confess that it was constituted against his own judgment, and that he had considerable misgivings of its success. He thought, therefore, that there was great force in the protest offered to it by the Lord Chief Justice of England with all his great power and force of language. That tribunal, however, was set up, as late as 1868. Only one General Election had since taken place, and only one set of Election Petitions had been tried by those Judges, and whatever might be said of their decisions, nobody could charge those Judges with being either corrupt, partial, or dishonest in pronouncing those decisions. He said, therefore, from the insufficient nature of the experience they had as yet acquired, that there was no case shown for the alteration of the law, and he would be no party to restoring the jurisdiction to that House, which deliberately parted with it in 1868. But the hon. and learned Member proposed to amend the law by giving an appeal to the Exchequer Chamber. Now, the expense and delay attending such a proceeding would be very considerable, and as to an appeal to the other House, he frankly confessed he had an invincible objection to submit the question whether an hon. Member should or should not sit in that House to the decision of the other House of Parliament. On the whole, therefore, he did not see that any good would be got from the suggestions offered for the amendment of the existing tribunal; and though the question was a grave one, he did not think the House yet had any materials for a salutary change in the law. As to the appointment of a Committee for the purposes of inquiry, the law was perfectly clear as it stood, though its application to complicated facts was exceedingly difficult; and he did not think that any good would come from inquiry. Under all the circumstances, therefore, he hoped that the hon. Mover would not press this question to a division.

Mr. MITCHELL HENRY said, there was another point of view from which he thought the question ought to be regarded. The tribunal for the trial of Election Petitions was changed and the jurisdiction removed from the House of Commons for the express purpose of increasing the confidence of the public in the decisions arrived at. But would anyone say that the results of the Galway election had had any other effect than that of overthrowing all public confidence in the new tribunal, or that, rightly or wrongly, it had not produced a widespread impression in Ireland that the decisions in election cases depended very much on the political complexion of the Judge? The appeal to the Court of Common Pleas was a farce. It was no appeal at all. The Judge who tried the Petition stated the case in such a form as to leave no option to the Court, and the majority delivered a judgment which all the lawyers in England, and in Ireland, almost without exception, declared to to be in manifest opposition to the declared wishes of Parliament, when it legislated on the subject. The point was whether sufficient notice had been given to the electors of the supposed disqualification of the successful candidate; but this, which was the essence of the case, never came before the Court of Common Pleas at all. The Judge found as a fact that the electors had notice, and then asked the Court above to decide whether the candidate who polled so small a number of votes should or should not have the seat. The Chief Justice took the constitutional view and decided against the claim, but the other three Judges thought otherwise. It was high time, therefore, that Parliament should step in and declare the will of the nation. If there had been an appeal on the facts as well as on the law it would have been another matter, and this scandal and absurdity would probably not have arisen. In reality what had to be decided was a mixed question of fact and law — namely, what constituted due notice of disqualification, and then what legal consequences followed if due notice had been given? But the first point never came before the tribunal at all, but was decided adversely to all reasonable theories of representation by the voice of one man in an impassioned judgment which had set the whole country in a flame. He regretted very much that the Government held out no hope that it would review the operation of the existing Act, and he believed that if there had been any Irish Law Officers in the House, who knew and could interpret the general feeling of the country a different decision would have been arrived at.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

THE WORKSHOPS ACT.

OBSERVATIONS. RESOLUTION.

MR. C. DALRYMPLE, in rising to call attention to the evasions and failures in the enforcement of the Workshops Act in different populous districts of the Country, and to move—"That, in the opinion of this House, the present staff of Inspectors is altogether inadequate to carry out the provisions of the Acts," said, that already during the present Session the subject had in various ways directly or indirectly, been brought before the House, and he himself had put a Question to the right hon. Gentleman the Home Secretary on the 14th February, the reply to which made him think it was advisable to bring the subject still further before the public. His object was that the Workshops Act should no longer be a dead letter, for want of anything which Parliament could do to remedy the existing evil, but to ensure that it should be enforced, and give to populous districts all the benefits it was intended to produce. Two things out to be stated at the outset. In the first place, he did not bring this subject forward in hostility to the Inspectors, of whom as a body he knew nothing but what was favourable to them; and if there had been failures in the enforcement of the Act, it was because the Inspectors were unable to be everywhere at once. One Inspector who had volunteered to him (Mr. Dalrymple) some valuable evidence, wrote to this effect—"We do not shrink from work, but it is disheartening to see a greater amount of it imposed upon us than it is physically possible to carry out." Further, it was said that the evasions of the Act were of a casual nature, and due to local causes, but the instances which he intended to mention to the House were not of an exceptional character, and he believed that many similar ones might be discovered. Ever since the Amendment Act of 1871, by which the duty of inspection was transferred from local authorities to the Inspectors and sub-Inspectors of factories, had become law, there had been an insufficient number of Inspectors. As an illustration, he might refer to Leek, in Staffordshire, where the inhabitants themselves had volunteered to come forward, rather than allow the law, in this respect, to be a dead letter. The number of workshops therein was 320, and of factories 42. It was true that there the Act was in full operation, but it was due to local zeal, and not to the state of the law that such was the state of things. The point which it was right to insist on was that legislation beneficent in its intention and useful in operation was a dead letter in many districts; and without dwelling on the loss to such places of having the law inoperative; what was to be said of the evil of having the law at once unrepealed and unenforced? Thus he had been himself told by the Vicar of a populous district in the Black Country that they knew what the law was, but they had begun to find out that it would not be enforced. He would first mention to the House a district of 7,000 inhabitants, between Stourbridge and Halesowen, near Birmingham, where there were 700 nail and chain shops, in which the children sometimes began to work before they were 12 years of age, and were engaged in blowing, which was very exhausting work; and, strange to say, there were no half-timers at school throughout that district. The violation of the Act there was not confined exclusively to small shops, but there was the instance of a large shop where the Act was regularly broken. That was really a typical case, because the district in which it occurred was a new one; it was neither town nor country, but was just the place where evasions of the law might be expected, unless there was proper inspection. In Bromsgrove the Act was also to a great extent unenforced, and the Vicar of that place, in his communication to him, said that some authority was wanted to rescue the Act from becoming a dead letter. The case of Bromsgrove was notable, because at one time the Act had been enforced there, and at the present time, through laxity of inspection, it was inoperative and required immediate attention. Similar complaints were made with regard to Oldbury and Halesowen; in fact with regard to the former place he had been informed that the half-timers had lain in wait for their schoolmaster and pelted him with brickbats because he had made an example of one of their number. At Luton, where the straw manufacture was carried on, a better state of things appeared to exist, arising from the advantage of increased inspection. The vicar stated that until lately the Workshops

Act was a dead letter there, but within the last three months the Inspector, who had been recently appointed to enforce the Act in that town, had been the means of bringing into the girls' school of the parish 112 half-timers, in addition to the number that previously attended it; and that he had caused an increased attendance at the boys' school. From Houghton Regis in the same neighbourhood, the Rev. Mr. Smyth, the vicar, informed him that there were 300 children under instruction; but that there was a deficiency of regular inspection. The Home Secretary admitted on a former occasion, in answer to a Question which he had put to him, that the Workshops Act had not been enforced so much as he could have wished, and he mentioned illness among the sub-Inspectors as probably the cause, and he expressed a hope that by the adoption of School Boards, armed with the principle of compulsory attendance, and their cooperation with Inspectors the number of Inspectors would not require to be increased. In 1871, however, the right hon. Gentleman, in answer to a Question from him (Mr. Dalrymple), said that he was afraid the Act could not be carried out effectually without the appointment of more Inspectors, and he supposed he must assume that the Education Act having come into operation, the Home Secretary did not now consider the increase of Inspectors necessary, but so far as experience went, unfortunately, the Education Act and the Workshops Act were rather conflicting upon this subject. In fact it had been pointed out to him that while one body of Inspectors were endeavouring to drive children into school, another body of Inspectors were trying to drive them out. The general result of the communications that had been sent to him was, that the Education Act would not supply the deficiency of the Workshops Act. Both in fact were needed. The Workshops Act ought to do—if he might so express it—in the gross, what the Education Act, happily elastic in its application to varied circumstances and places, could only do in detail, here and there as opportunity offered. One defect in the Workshops Act was, that it released parents or employers from the necessity of sending to school children who were not employed during all the week, and it had been pointed out to him that if a man spent the first working day of the week in drinking, but kept a child employed from Tuesday every day up to Saturday, he had a legal right to withhold that child from school. Here was apparently a fatal defect in the Act, and he did not know whether it had been before noticed. What he asked for was, that the Workshops Act, as it stood, should be enforced, for when as was the case, our factory legislation was the object of admiration and of imitation even in other countries, it would be highly discreditable if it were allowed to get out of gear at home. He did not, as a rule, think it was of much importance to quote the example of foreign countries; but he had lately seen an interesting volume—a translation from the German of a work on English factory legislation—by Herr Von Plener, to which a preface was subjoined from the pen of the hon. Member for Sheffield. In that book it appeared that in Germany, in Switzerland, in Sweden, in France, and elsewhere, our factory legislation had been carefully imitated. He had noticed, too, that the Danish correspondent of *The Times* had lately mentioned that a Bill was before the Parliament of Denmark, having for its object the promotion of factory and workshops regulation. His Motion indicated what he considered to be necessary; all his correspondents were agreed in desiring increased inspection as the remedy for the cases of non-enforcement of the Act. He could not help hoping that good might have been done by again calling attention to the subject, but of how much greater importance would it be, if those who had charge of the factory legislation of the country would determine that the Act should for the future be everywhere enforced; if they would but determine by increased inspection, by turning the light of authority full upon places where the Act had been hitherto neglected, that for the future it should be a dead letter nowhere, but that it should be everywhere in operation to the full extent of its benevolent intention, and to the incalculable advantage of large and populous districts of the country. The hon. Member concluded by proposing the Amendment of which he had given Notice.

MR. SPEAKER said, that as the original Motion had been carried, that he do leave the Chair, the hon. Member was precluded by the forms of the House from moving his Amendment.

Mr. MUNDELLA said, he wished to express his thanks to the hon. Member for Bute (Mr. C. Dalrymple), for having brought forward the subject, and at the same time to compliment him on the able manner in which he had done it. For himself, he must say that with one or two exceptions the local authorities had neglected their duty in not putting the Act into force. It was true the Inspectors had reported that the Act had begun to work here and there, and Nottingham was referred to as a place where it was working admirably; but the fact was, that in the small workshops outside the town, and outside the reach of the local authorities, the state of the children had become worse there than it was before. In 1871, the Home Secretary introduced a measure which was a step in the right direction, but it had not been thoroughly enforced—owing to the want of more vigour in the Factory department—by the appointment of more Inspectors. In Nottinghamshire, Leicestershire, and Derbyshire there were no Inspectors. In many places within those counties, children were kept to work as late as eleven o'clock at night towards the close of the week, and from many places not a child was sent to school under the Workshops Act. The appointment of superannuated policemen to enforce the Act would be a great advantage, and would not incur a large expense. The honour of initiating factory legislation belonged to this country, and at first it was useful and beneficial in its operation; but foreign countries were now surpassing us in the liberality and effectiveness of their legislation on this subject. Our education and labour laws were in conflict instead of in harmony with each other, and the result was, that the Workshops Acts often operated as a hindrance to the working of the Education Act, inasmuch as the Education Board were always met with the remark that they had no power over the children employed in workshops, seeing that they came within the operation of the former statute. From the Report of a Commission on the employment of women and children in France lately issued, it was found that the most deplorable consequences issued from the neglect and overwork of children. The annual conscription tested the physical results of this neglect and overwork. In rural districts 14,000 conscripts were required to furnish 10,000 recruits; in the towns, where the physical conditions were worse, no less than 24,000 conscripts were required to get 10,000 efficient recruits. That arose from the wretchedness, the infirmity, and the diminished stature and general debility educed by overwork and want of proper sanitary conditions. In fact, nothing could be more painful or humiliating than the report of the French people, and the remedy which was recommended by the French Commission was to prohibit entirely the employment of French children up to 10 years of age, and to allow them to be employed half-time only whilst between 10 and 13. That was, in fact, a close approximation to the system which prevailed in Germany and Switzerland, which had been found beneficial in its operation. No more important question could occupy the attention of the Government or Parliament than were the measures which were necessary to give the rising generation of workers a healthy physique and a good education, and he hoped that the Government would see that the provisions of the Workshops Act would be rigorously carried out. That would be impossible if there were no additional Inspectors; and if it cost a few thousands a year, it would be nothing compared with the beneficial results to the education, training, and health of the future generation.

Mr. F. S. POWELL said, with regard to the assertion of the hon. Member for Sheffield (Mr. Mundella), that the Workshops Act of 1871 had fallen into universal neglect, he was afraid it was owing to the fact that it was one of the cases in which the Treasury had refused to sanction useful expenditure. He regretted that the number of Inspectors had not been increased, for unless the number was excessive prior to the extension of the Acts in 1871, it was obviously insufficient now, and he disapproved the intention to have only one Chief Inspector, whenever either of the present Inspectorships became vacant. A Recorder who was once presented with a pair of white gloves by the borough authorities rebuked them for their negligence in not detecting crime when he knew a vast amount of it existed, and those who supposed these Acts were being enforced were similarly ignorant of the actual state of the case. Under the Factory Act, the Inspectors had to deal with large factories under one general management; but under the Workshops Act the inspection of workshops was much more difficult, owing to their small size and out-of-the-way situation; and the wide range of hours of labour—they might begin at 5 a.m. and need not close till 9 p.m.—threw a difficulty in the way of the Inspectors, who could not after an exhaustive day see that they closed at the last-named hour. The Inspectors were being employed to a certain extent by School Boards as visiting agents; whether this was in accordance with the intentions of the Government he did not know. On the passing of the Act of 1871, the Inspectors were increased from 45 to 53, but 100,000 workshops and 3,000 brickfields were added to their charge, so that the increase was insufficient for the additional duties imposed, and that fact, Mr. Baker, in his recent Reports had brought out very distinctly. Pressure was being put on the Members of that House by the industrial classes to obtain an extension of the Factory Act and a further limitation of the hours of labour. Whether it would be wise or unwise in Parliament to yield to that pressure he would not take on himself to pronounce, but this at least he would say—the working people of this country were entitled to insist that the laws which had been enacted should be firmly and effectively carried out.

Lord JOHN MANNERS said, he felt perfectly certain that if the complaints made respecting the insufficient operation of the Workshops' Act were correct, it could not be from any lack of sympathy on the part of the right hon. Gentleman the Secretary of State for the Home Department. He humbly conceived the cause was to be found somewhere else. There had been, he feared, a reluctance to spend money in carrying out this Act. [The Chancellor of the Exchequer: Not the least in the world.] He was delighted to hear it. Then there was no reason why the Act should not be brought into successful operation. The Legislature having given its sanction to these remedial Acts, it would be far better for the Government to carry them into legitimate execution, and give the Workshops' Act, in particular, a fair chance of seeing how far it was calculated to mitigate the evils against which it was directed. That there had been a reluctance to put the Act into effective operation in many districts there was no question, it being abundantly proved by the fact that many School Boards had brought it to the knowledge of the Inspectors that there were a great many more children in their various districts than attended the school, and as they were not in the streets they must be employed in the workshops. He cordially supported the views of his hon. Friend the Member for Bute (Mr. C. Dalrymple), and hoped the right hon. Gentleman would be able to tell them how far the Act had been brought into operation, how many Inspectors had been added to the staff since 1871, and would also give the House some information as to what had been done in relation to labour in brickfields. A considerable number of Inspectors, even of lower qualifications than those they had been in the habit of considering essential to the operation of the Factory Act, should be appointed, and all the energies of the Department be brought to bear in carrying into execution these Acts, which, he agreed with the hon. Member for Sheffield (Mr. Mundella), constituted a most glorious chapter in the history of the country, but which certainly those who passed them were in hopes would be carried into more full operation.

Mr. MONTAGU CHAMBERS said, that, like many hon. Members who were not present, he thought this a most important discussion, and he was of opinion there were two questions at the foot of the matter. The first was, was it right for Parliament to legislate for the prevention of overwork and other grievances? The second was, could they provide the machinery for enforcing that legislation? To the first question Parliament had replied by passing several Acts directly intended to put an end to the specific evils arising from overwork by women and children; to the second, they had endeavoured to reply by creating a staff of Inspectors to see that the regulations enacted in these Acts should be properly operative. The complaint now made was this—with every desire and every effort on the part of the Government to do its duty with reference to seeing that these Acts were observed, they were not enforced. In fact, they were evaded too frequently as they saw by the newspapers—infamously evaded—and he attributed this in many respects to the Government too often asking, "How much will it cost?" Moreover, the penalties inflicted were insufficient to deter interested employers from violating the law. He quite agreed that they ought to have a staff of Inspectors equal to the work to be done, and if it cost a few hundreds or thousands more, the money could not be better spent than in enforcing the humane statutes passed by the benevolence of Parliament. He trusted the Government would take the subject into their careful consideration, so that the public might be satisfied and the real object of the Acts carried into effect.

Mr. BRUCE said, he had great pleasure in acknowledging the moderate and dispassionate nature of the language used by the hon. Member for Bute (Mr. C. Dalrymple) and other hon. Members in treating on the subject, and would venture to give a slight sketch of the legislation that had occurred with regard to it. Our factory legislation had remained without extension for many years, and from 1833 to 1864 it was entirely confined to textile manufactures in great establishments, the supervision of which was comparatively easy, although it took several years to bring the Acts into effective operation. In 1867 the late Government endeavoured to extend the operation of the Factory Acts to a still more considerable number of the working classes, and the Workshops' Regulation Act was passed with that view. He agreed that the time must come when that legislation, careful and cautious as it was at first, would require revision, and that every day was showing what its weak points were. The Act of 1867 made no provision for an inspection similar to that provided by the Factory Acts, but left the matter in the hands of the local authorities. What was the result? In a few places, such as Leek, for instance, the Act was vigorously and usefully enforced, but in general it was entirely neglected; and it was in consequence of his being dissatisfied with the enforcement of the law being left to the local authorities that the Government introduced their measure in 1871 to place the workshops under the charge of the Inspectors of Factories. In the autumn of that year it was his duty to consider how inspection could be best applied to the extended number of establishments, and after full deliberation he applied for an addition of eight Junior Inspectors, being assured by those most competent to judge that with that addition the Acts could within a short time be thoroughly enforced. He had no doubt great progress had been made—so much, indeed, that it was idle to talk of the law being a dead letter. The hon. Member for Bute (Mr. C. Dalrymple), who used that term, had himself shown that the law was by no means a dead letter in one district; and he (Mr Bruce) might charitably suppose that what had taken place in that district had also taken place in others, which was, indeed, the fact. In 1864, when the first considerable amendment of the law was made, the number of sub-Inspectors was 22; the number added then was six; in 1867, 17 more were appointed; in 1871, eight; and recently he obtained the permission of the Treasury to appoint three more. The Reports of Inspectors in the hands of hon. Members came down to April, 1872, when there had not been time for new arrangements to take effect; and Reports to be issued soon would bring the work down to October, 1872, when it would be seen that, although all workshops had not been reached, the law was far from being a dead letter. There were 16,361 factories, and to these had been paid 18,011 visits. There were 63,431 workshops, and during the last six months 17,000 visits had been paid: but it would not be accurate to assume that all the 63,000 were workshops requiring inspection. In many, neither women nor young persons, nor children were employed; and in many, too, the hours fell short of those allowed by the Act. There were 1,739 brickfields, and 1,321 visits had been paid. With regard to them, it must not be supposed that every brickfield unvisited was also uninfluenced, for the news of what happened in respect of any of them travelled very fast, and a conviction in one case soon produced a wholesome effect in others. He must further observe that it could not be necessary that all the children under the operation of the Acts should be visited, or else the number of Inspectors required would be truly formidable. The Inspectors had a right to expect, and were daily receiving valuable assistance from workpeople, local authorities, the clergy, school boards, and the general public; and one of the Reports about to be issued contained important testimony on this head which indicated what might be expected in a not remote future. The noble Lord the Member for North Leicestershire (Lord John Manners) had suggested that an inferior class of Inspectors might be appointed; but he should be very reluctant to entrust the duty of inspection to uneducated persons, or to change a system that had worked on the whole so successfully. In conclusion, he would assure hon. Gentlemen that his anxiety as to the enforcement of the Acts and as to their importance continued as strong as ever; but his opinion was that it was best to proceed with caution, and not too rapidly.

IRELAND — IMPRISONMENT OF MR. M'ALEESE.—OBSERVATIONS.

Sir JOHN GRAY, in rising to call the attention of the House to the case of Mr. M'Aleese, now suffering imprisonment in the prison of the County Antrim, under sentence for contempt of Court; and to ask if the Inspectors General of prisons have taken any step with reference to the treatment to which he is subjected, said, Mr. M'Aleese, the editor of *The Ulster Examiner*, a newspaper published at Belfast, was recently sentenced to four months' imprisonment and to pay a heavy fine, for having commented on a trial which had taken place before Mr. Justice Lawson and had terminated, and complained of the severity of the sentence which had been passed. It should be remarked that the comments were not published till after the close of the trial.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Sir JOHN GRAY then resumed—He admitted that the Judge was perfectly right in sustaining the authority of the Court, and did not find fault with the severity of the sentence; but what he complained of was the treatment to which he had been subjected in prison—a treatment which the prison rules never contemplated in the case of persons who had not been convicted of crime, who had never been tried, and who had simply been sentenced to be imprisoned for contempt of Court. While he had been in prison his friends had been denied admission to see him; his request to allow him to supply his own food had been refused; his request for wine had been refused; and even a request that he might have a copy of the prison rules had been refused. His wife had certainly been allowed to see him, but always in the presence of some of the gaol officials, so that no private conversation could pass between them. At 5 o'clock every evening, Mr. M'Aleese was locked up in his cell without a fire, and he was not let out of his cell until 9 o'clock in the morning. He was not allowed to send away any letters until they had been submitted to the supervision of the gaol officials, and he was not allowed to have any bed beyond a straw bed. That was the way in which a gentleman, against whom no crime was alleged, was treated in a civilized nation. He (Sir John Gray) did not ask the House to interfere in the matter in any way, but all he asked for was whether the Inspectors General of Prisons had inquired into the case; and, if so, whether the treatment accorded to Mr. M'Aleese was considered to be proper treatment for a man charged with no crime, and only supposed to be held in safe custody?

The Marquess of HARTINGTON said, he regretted that, as no Notice of the Question had been given him, he was unable to give the hon. Gentleman much information, as the Reports were in Dublin. It was not necessary to follow the hon. Gentleman into any discussion of the propriety of the sentence passed by Mr. Justice Lawson, as a Return moved for by the hon. and learned Member for Limerick (Mr. Butt) would place the House in full possession of the facts. The hon. Gentleman had stated that the comment in question had been made on a trial which was over, and was not then pending. Technically, that was true; but he must remind the hon. Gentleman that although the article for which Mr. Justice Lawson summoned Mr. M'Aleese to appear before him was upon an individual case that was over, yet that the Assizes were not over, and there were other cases of a similar kind to be tried. Statements having appeared in the newspapers as to the treatment of Mr. M'Aleese, inquiry had been made and official reports contradicted those statements in almost every particular, declaring that, though there was no fire, his room was warmed by hot water, that he was allowed to provide food, was also allowed the use of books and papers, and could see his friends. Further statements having appeared in the newspapers as to the treatment of Mr. M'Aleese, further inquiry was made, and an hour or two ago he had received a telegram which stated that a warder was always present at interviews between the defendant and those who visited him, except his solicitor and the Roman Catholic priest, and that, subject to certain restrictions, he was allowed to receive newspapers and letters. That was all the information he could furnish to the House. The Papers which had been moved for would give fuller information, and if the Reports received were not deemed satisfactory, one of the Inspectors General would be deputed to visit the prison. He could assure the hon. Member that there was no wish on the part of the Executive to treat Mr. M'Aleese with any unnecessary severity. It must be borne in mind, however, that the prison in which Mr. M'Aleese was confined was not under the control of Government, but under the control of the Board of Superintendence, and the Government Inspectors had no power to order any changes, even if they thought them necessary, but only to recommend them.

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £7,500, to complete the sum for Works at Anstruther Harbour.

MR. MACFIE said, he had no particular objection to the amount being voted, but there were other harbours which deserved consideration. He alluded to Newhaven Harbour, where the fishermen were exposed to very great dangers from the want of sufficient protection. He had had communication with the Scotch Fishery Board, but they said they had no funds at their disposal to execute any works. Now, the harbour was a subject eminently worth the attention of the Government, and it ought no longer to be neglected.

MR. ALDERMAN LUSK said, he considered the money hitherto spent on Anstruther Harbour had been very badly laid out, and he hoped that future expenditure would be of some more public benefit than past.

MR. BAXTER said, no doubt the money had hitherto been badly spent on that harbour, and the works reflected very little credit on those in charge. The right hon. Gentleman the Chancellor of the Exchequer had, however, taken the trouble to inspect the locality, and steps had been taken to put matters on a more satisfactory footing. There was great force in the remarks of the hon. Member for Leith (Mr. Macfie) respecting Newhaven Harbour; but the large sums spent on Anstruther Harbour had prevented any money being voted to the other harbours.

Vote *agreed to.*

(2.) £763, for Grant in aid of Expenses of Ramsgate Harbour.

(3.) £130,308, to complete the sum for Public Buildings in the Department of Public Works in Ireland.

MR. MONK said, there was an item of £7,129 in the Vote for the maintenance of the Phœnix Park, Dublin, and of that sum £4,535 was taken for keeping the roads and the deer-park in a proper state. That seemed to be an enormous charge, and he would like to hear some explanation in reference to it. He should like also to have some explanation as to the item of £500 for contingencies under the same Vote.

MR. M'LAREN took exception to the sum of £17,036, for furnishing the 60 public offices in Ireland. In Scotland there were not a dozen public offices, and their expenses for furniture were not more than £4,000 a-year. £1,000,000 more revenue was obtained every year from Scotland than from Ireland, yet in several respects she got much less money out of the public purse than Ireland did.

SIR JOHN GRAY hoped that Scotland would soon be relieved of any part of the charge for furnishing Irish offices. All they wanted was to be allowed to manage their own affairs and expend their own revenue, and they would very gladly on those terms furnish their own offices.

MR. BAXTER said, that considering the vast sums spent on the London Parks as compared with the sums spent for like purposes in Ireland, there was no reason to complain of the Vote in question. He assured the hon. Member for Gloucester (Mr. Monk) that he had carefully gone into each of the items composing the sum of £500 to which he referred.

Vote *agreed to.*

(4.) £19,560, to complete the sum for Lighthouses Abroad.

Mr. BOWRING said, that since the year 1868 sums amounting to £5,000 per annum had been voted for a lighthouse on the Bird Rocks at the Bahamas, the estimated cost of which was only £10,000. They were now asked for £4,500 for the same purpose. He hoped some explanation on the subject would be given by the Secretary to the Treasury.

Mr. BAXTER said, he could not defend the delay which had existed in the construction of the lighthouse on the Bird Rocks. It was, however, not the fault of the Treasury, and he had himself written a strong letter, calling upon the Board of Trade not to ask the Treasury to provide money which they were not going to expend. The cause of the delay in the erection of this lighthouse was, in the first place, the absence, and in the next the illness of the architect; but he hoped the expression of opinion in the House to-night would stimulate the Board of Trade to more activity in the matter. The money voted had not, however, been expended, but had been from year to year returned to the Treasury.

Mr. BOWRING was glad to have received the explanation just given, as, if it had not been made, it might be thought that between £30,000 and £40,000 would ultimately be expended on a work the total estimated cost of which was £10,000.

Mr. Alderman LUSK inquired how it was that we had to contribute to the erection of lighthouses at Barbadoes, the Cape of Good Hope, and Cape Bon, and what progress was making, as we had this Vote every year?

Mr. BAXTER said, with regard to the lighthouse on Ragged Point, Barbadoes, the Colonial Government had agreed to erect it at a cost of £3,400, and all that Her Majesty's Government was asked to do was to supply the lighting apparatus at a cost of £2,300. Considering that the greater portion of the vessels that passed the Point were British and not Colonial, he thought that that was a fair expenditure of public money. The total cost of the lighthouse at Cape L'Agulhas, near the Cape of Good Hope, was £12,800, and the contribution of Her Majesty's Government to that was simply £2,200, the cost of the lighting apparatus. Lastly, the Bey of Tunis had agreed to erect a lighthouse on Cape Bon, and this country was asked to supply the light. This lighthouse was rendered necessary by the opening of the Suez Canal, and, as the Committee was aware 80 per cent of the vessels passing through that Canal were British. It was proposed that they should ask Foreign Governments to contribute a part of the £4,000 which would be required for the light; but their proportion would have been so infinitesimally small that he thought it would be beneath the dignity of this country to ask it, and he had therefore sanctioned this expenditure of £4,000 without the least hesitation.

Vote *agreed to.*

(5.) £700, to complete the sum for Maintenance and Repairs of Embassy Houses Abroad.

(6.) £51,863, to complete the sum for British Embassy Houses, &c., Constantinople, China, Japan, and Tehran.

Mr. Alderman LUSK inquired what the total cost of the Consular buildings at Tehran would be, and whether the sum now required for the Embassy House at Constantinople was for building or furnishing?

Mr. AYRTON said, that the estimate was for refurnishing the portion that was rebuilt after being burnt of the Embassy at Constantinople. In the case of Tehran the work to be done had been placed in the hands of an Indian officer, who—as often happened in such cases—had probably never undertaken a service of the kind before, and a building at Tehran with all the modern improvements of a house in London was of course rather expensive, besides which a great many casualties, such as the famine in Persia, had occurred, and had contributed to increase the cost.

Lord JOHN MANNERS agreed with the right hon. Gentleman that buildings in distant countries constituted a difficulty to the Government in this country; but he asked whether they might not have employed Persian architects? With respect to the sum of £2,000 for buildings at Constantinople, no doubt great inconvenience was felt from the constant practice of asking for re-Votes. If there was a reasonable probability of the whole sum being required during the year, then it was unfortunate that for the sake of lessening the estimate for the amount, the sum of £2,000 had been struck off.

Mr. MUNTZ protested against the slur which had been cast upon the Indian Service by the right hon. Gentleman the First Commissioner of Works.

Vote *agreed to.*

(7.) £37,675, to complete the sum for the Offices of the House of Lords.

(8.) £40,482, to complete the sum for the Offices of the House of Commons.

Mr. MACFIE said, they had had a very important debate that week on the subject of Central Asia, and very elaborate details were presented to the House, which it was very important for the public interest should have been preserved. The newspapers had not very fully reported these elaborate details, Now, he saw a sum of £2,500 put down for shorthand writers reporting the proceedings of the Committees, and it had never appeared to him to be wise to take such accurate reports of the Committees while no official reports were taken of speeches in the House such as he had referred to. Would it not be judicious to increase this item next year, so as to have shorthand reports of the speeches which were delivered in the House preserved, and that the public might have the benefit of them?

Vote *agreed to.*

(9.) £46,713, to complete the sum for the Treasury Department.

(10.) £77,330, to complete the sum for the Home Department and Subordinate Offices.

Mr. HEYGATE urged the desirability of a more satisfactory inspection in the case of burial grounds.

Mr. BRUCE said, a change in the matter could only be made by altering the Act of Parliament which dealt with it.

Vote *agreed to.*

Lord John Manners

(11.) £51,585, to complete the sum for the Foreign Department.

(12.) £26,282, to complete the sum for the Colonial Department.

(13.) £26,075, to complete the sum for the Privy Council and Subordinate Department.

(14.) Motion made, and Question proposed,

"That a sum, not exceeding £84,778, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments."

Mr. BOWRING after expressing his regret at the absence of both the President and the Secretary of the Board of Trade at the time when the Estimates for that Department came on for discussion, said, that although the Vote had not materially increased in amount as compared with that of last year, yet the form in which the Estimates were presented was such as not to give to the House the amount of clear information which ought to be afforded to it in respect to the changes which had been made in the establishment of the Board of Trade. He should, therefore, like to have some further information upon the subject, since a foot-note in the estimate said "the establishment has been so completely remodelled that a detailed comparison between the estimates for the years 1872-3 and 1873-4 is impossible." The Estimates stated that the total staff for this year was to be 152, as compared with 150 last year, whereas on referring to the Estimates for 1872-3, it would be seen that it was then only 103. There was therefore an increase of 50 per cent in the permanent Establishment. A close investigation showed that the discrepancy arose from the transfer to the permanent staff of a great number of temporary clerks, involving a large eventual charge to the public for superannuation. From the way in which the estimate was made out, that important fact was concealed from the House of Commons altogether. Last year there were 55 clerks on the Establishment this year there were 110, and a much higher scale of salaries had been adopted. In regard to the upper staff, also, the Department had been remodelled; and the Estimates again did not convey proper information to Parliament on that subject. The Board of Trade had an invaluable Economical Library, consisting of some 30,000 or 40,000 volumes, which was inaccessible and useless to the public, although it cost for salaries and expenses not much less than £1,000 a-year. A Committee had been sitting on that matter for two or three years, and as he had often before directed attention to the desirability of making the library more useful to the public, he should be glad to know the result of their labours. It appeared that the librarian's office was to be abolished, and that there would be nobody to look after that valuable collection.

Mr. MACFIE called attention to the sum of £1,777 for salaries in the Design Office, and inquired how much was received from designs to counterbalance that charge?

The CHANCELLOR of the EXCHEQUER said, in regard to the Library, the Committee had recommended—and effect had been given to their recommendation—that it should be placed in the Foreign Office and taken care of for the benefit of the Civil Service generally, instead of being the library of only one Department. He believed his hon. Friend (Mr. Bowring) was correct in his statements as to the changes at the Board of Trade. A very large number of persons had been employed nominally as "writers," but really in discharging the functions of clerks, to which they were quite equal, and their pay rose by increments according to length of service. They were not, however, within the rule of the Order in Council, which regulated the competition for admission to the Civil Service; and it was competent for the head of the Department to appoint them and regulate their salaries as he pleased. It was found that if that were to go on, it might afford an opportunity for defeating the intention of Parliament and the Government in throwing the Civil Service open to competition; because a man might say—"This is a duty which has not to be discharged by a clerk: a writer will do. My son or my nephew will do for the situation. I have to regulate his increment and he will gradually rise to a certain point." The only way to get rid of that was to make the writers who really did the work of clerks what they actually were. If they had given satisfaction to the heads of their Departments and were competent, they had been accordingly transferred from the position of writers to that of clerks. They were not put to the ordinary competitive examination, but went before the Civil Service Commissioners, and obtained a certificate of competency. Future vacancies, however, would be competed for in the ordinary way. As far as he was aware, it was only in the Departments of the Board of Trade and the Admiralty where a number of these writers were doing the work of clerks. He had not the necessary information to enable him to answer the question of the hon. Member for Leith (Mr. Macfie).

Mr. SCLATER-BOOTH asked whether the promotion of writers who did the duty of clerks to the position of clerks had been made since last Session, when attention was called by himself and others to the subject? If so, he should consider it very satisfactory.

The CHANCELLOR of the EXCHEQUER said, that was so. Whenever the heads of Departments thought the writers fit, they placed them in the position of clerks.

Mr. Alderman LUSK said, that fault had lately been found with some of the officers of this Department, but he begged for himself to bear testimony to the admirable manner in which the business of the Board of Trade was conducted by its permanent officials.

Mr. BOWRING asked whether this great change in the position of the temporary clerks in the Board of Trade had been made throughout the whole service? That would be a serious matter, for all these clerks would have a right to superannuation, and the charge on the public would be very large, whilst the Estimates gave no information on the subject.

The CHANCELLOR of the EXCHEQUER replied that the Board of Trade and the Admiralty were the Departments to which he had referred. He was not aware that the change had been made in other Departments.

Mr. M'LAREN said, he saw there was a charge for Inspector of Oyster Fisheries of £500 a-year. Why was this? It was to be supposed that the owners of those fisheries would be able to pay for an Inspector.

Mr. BAXTER said, he was afraid there were some offices not actually necessary which were charged on the

Estimates. This was an Inspector under an Act of Parliament.

Mr. HEYGATE suggested that the agricultural statistics, for collecting which Parliament allowed a certain sum of money every year, might be rendered more valuable if a column should be given, to be filled up by occupiers and owners of land, showing the number of animals which had been attacked by contagious diseases during the preceding year, the percentage of deaths, and, perhaps, also, an estimate of the loss sustained by those deaths. He instanced the counties of Hereford and Chester, where statistics of this character had been collected, as an indication of the value attached to the information. About two-thirds of the occupiers of the soil in those counties had made voluntary Returns, the necessary forms having been distributed by waywardens in the case of Herefordshire, and by the Chief Inspector in that of Cheshire. In Hereford, and during 1872, 27,061 head of cattle were attacked by disease, and of these about 5 per cent died; the proportion being about the same in Cheshire.

Mr. SCLATER-BOOTH wished to know whether the President of the Board Trade, after the experience of the last two years, was satisfied of the accuracy and value of the agricultural statistics? Letters had recently appeared in the public papers throwing great doubt on the value of these Returns; and unless some better system could be adopted, it would be a pity to spend so large a sum as £15,300 in carrying out the present one.

Mr. F. S. POWELL repeated his objection to the Board of Trade retaining control over the registration of designs, which was essentially a Patent Office matter, and pointed out that, although the agricultural statistics furnished by the Board gave ample information about the grain produce of European States, the information respecting the United Kingdom was meagre and inaccurate. He suggested that if the Board had not sufficient power to enable it to collect the information required, it should take steps to secure such powers.

Mr. M'LAREN moved the reduction of the Vote by £500 the salary of the Inspector of Oyster Fisheries. The Act under which he was appointed never contemplated that he should be a permanent officer, for it ordered that all the expenses attending the granting of Provisional Orders to proprietors of oyster beds should be borne by the promoters of such Orders.

Motion made, and Question proposed,

"That the Item of £500, for the Salary of the Inspector of Oyster Fisheries, be omitted from the proposed Vote."—(*Mr. M'Laren.*)

Mr. CHICHESTER FORTESCUE said, that modest £500 a-year was paid to a very efficient gentleman, who made able Reports to the Board of Trade on Oyster Fisheries from time to time. No objection had hitherto been made to the appointment of this officer, but beyond that the Board of Trade was unable to form an opinion upon some points, without being furnished with the result of an inquiry on the spot by a thoroughly competent person. He agreed with the hon. Member for the West Riding (Mr. F. S. Powell), that the registration of designs and the Patent Office should be under one head with regard to agricultural statistics. The duty of the Board of Trade, however, in the latter respect commenced with the receipt of the statistics, and had control only over their tabulation and publication. He would consider whether any change could be made in the mode of obtaining the Returns or in tabulating and publishing them.

Lord JOHN MANNERS could not agree with the hon. Member for Edinburgh (Mr. M'Laren), that the proprietors of oyster beds alone benefited by the action of the Board of Trade. The public largely gained by the system of of which the Inspector formed a part; the public should therefore contribute to the cost. He thought the suggestion of his hon. Friend (Mr. F. S. Powell) as to the agricultural statistics was one deserving consideration.

Mr. SCLATER-BOOTH said, he must again refer to the agricultural Returns, of the accuracy of which grave complaints were made. When a public department was paid £15,000 a-year for agricultural information it became a question whether it was worth while to go on furnishing it unless some improvement could be made in the matter. They should be either placed on a satisfactory footing or given up altogether.

Mr. BAXTER was induced to believe, from what he heard from leading agriculturists, that these statistics were of considerable value. The whole subject, however, would be considered by the Government, with a view, if possible, to insure greater accuracy.

Mr. MONK thought with the hon. Member for Edinburgh (Mr. M'Laren), that the payment for the Inspectorship of Oyster Fisheries should not be borne by the public.

Question put.

The Committee *divided:* — Ayes 23; Noes 87: Majority 64.

Original Question put, and *agreed to.*

(15.) Motion made, and Question proposed,

"That a sum, not exceeding £16,385, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Expenses of the Charity Commission for England and Wales."

Mr. CUBITT called attention to the increased work which had been thrown upon the Charity Commission by recent legislation, and which caused it in one branch of its duties to act as a Nonconformist Ecclesiastical Commission. He disclaimed any desire of attacking the endowments of Nonconformists believing that it would be advantageous both for them and the country if they spent more in the endowment, or at any rate the sustenance of their ministers, and less in bricks and mortar and agitation. As the Charity Commission was a department of the Government paid from the produces of taxation, Dissenters were in using it, directly benefitting by State assistance. He referred more especially to an Act of the present Parliament 32 & 33 *Vict.* c. 110, under which a very great additional amount of property belonging to Nonconformists had been brought under the cognizance of the Commissioners, and he quoted instances of schemes recently issued by them, one of which authorized raising money to furnish and finish a chapel belonging to the Particular Baptists. He instanced also the Charities Incorporation Act of last Session, under which the Calvinistic Methodists of Wales were appearing as suitors at a public office, and asking for schemes to be prepared at the expense of the taxpayers of the country. He did not wish in any way to complain of this legislation, but he charged the Nonconformists with inconsistency in obtaining the passage of small acts which placed their different sects in a position akin to establishment, and, on the other hand, in bringing in Resolutions here in favour of disestablishing the Church of England, and in going about the country denouncing the horrors of a State Church. He left it to hon. Members opposite to object to the Vote.

Mr. MONK wished to ask on a point of Order, whether Vote 9 for the Privy Seal Office, which had been passed over, should not have first been put to the Committee and postponed by consent.

The CHAIRMAN said, although, generally speaking it was not the practice to withdraw a Vote without some notice, yet there was no necessity for the Votes to be put from the Chair in the order in which they appeared in the Estimates.

Mr. SCLATER-BOOTH thought that the hon. Member for Gloucester (Mr. Monk) had good ground of complaint in reference to this matter, because, when particular Votes were passed over in this manner by private arrangement between those who sat on the Treasury bench and their immediate Friends, they were frequently brought on at inconvenient times, when hon. Members who were interested in them were unable to be present. Great dissatisfaction had been caused last year by the Government arranging with private Members who had given Notices of Motions on Votes not to bring on those particular Votes on particular days, and not giving the House any intimation of the arrangement.

Mr. GLADSTONE said, when an attempt was made to count out the House that evening the side on which the hon. Gentleman sat only contributed two Members to discuss Supply, and it was not considered desirable to discuss an important Motion in a very thin House.

Mr. DILLWYN (who had given Notice of a Motion to reduce Vote 9) confirmed the statement of the Prime Minister, and said he had assented to the suggestion when it was made to him.

Mr. NEVILLE GRENVILLE hoped to see the day when the Vote now before the Committee would be negatived, and the charities taxed to pay for their own management, in pursuance of a

Resolution carried five years ago, but not yet carried into effect.

Mr. BAXTER said, that the hon. Member for Essex (Mr. A. Johnston) had already given Notice of his intention to move for a Select Committee to consider how best to give effect to the Resolution of five years ago, and a subsequent one to the same effect.

Mr. SCLATER-BOOTH said, he observed from a foot-note attached to the estimate that the office of third Commissioner was to remain temporarily vacant. Now, he thought it was desirable the Committee should know definitely whether the office was or was not vacant, and in order to test the question, he should move that the Vote be reduced by the sum of £1,200, the salary of the third Commissioner.

Motion made, and Question proposed,

"That a sum, not exceeding £15,185, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Expenses of the Charity Commission for England and Wales."—(*Mr. Sclater-Booth.*)

Mr. GLADSTONE said, the circumstances of the case were these—when a vacancy occurred in the office the Government were anxious, in the interests of public economy, to effect a saving by reducing the number of the Charity Commissioners. The present arrangement had been consequently made, by which two Commissioners were discharging the work, but that work had considerably increased, and the arrangement must therefore be regarded as experimental. The Government were desirous of dispensing with the services of a third Commissioner if possible; but then they were also anxious not to be obliged to refer again to the House for his salary, if it should be found necessary to fill up the appointment.

Mr. RYLANDS hoped the hon. Gentleman opposite would persist in his intention to divide the Committee upon his Amendment. In that event, he should support him.

Question put.

The Committee *divided:* — Ayes 67; Noes 76: Majority 9.

Original Question put, and *agreed to.*

(16.) £17,421, to complete the sum for the Civil Service Commission.

Mr. Neville Grenville

Mr. MONK asked for an explanation of the item of £2,500, charged in this Vote as paid by the Civil Service Commission for writers' holidays.

Mr. BAXTER explained that the Government had been induced by the representations made both in and outside the House, to allow the Civil Service Commission to grant the writers employed in the various Departments a holiday without deducting it from their pay, and the item in question was the result.

Mr. SCLATER-BOOTH could not help thinking that altogether an improper function for the Civil Service Commission to discharge. He did not see why they should interfere at all in regulating the pay of any of the public Departments.

The CHANCELLOR of the EXCHEQUER observed that it was the duty of the Civil Service Commission to keep a list of writers, to examine them, and supply them as wanted to the different Departments. The writers were paid on a uniform scale by the Civil Service Commission, and not by the Departments.

Mr. SCLATER-BOOTH thought that the Civil Service Commission had no business to interfere in this way with the different Departments. It was altogether beyond their proper functions. He wished to know whether the Government meant to adhere to the system.

The CHANCELLOR of the EXCHEQUER promised to inquire into the matter, and unless they found some good reason for the practice they would be very glad to reconsider it.

Vote *agreed to.*

(17.) £15,354, to complete the sum for the Copyhold, Inclosure, and Tithe Commission.

(18.) £7,150, to complete the sum for Imprest Expenses under the Inclosure and Drainage Acts.

(19.) £36,476, to complete the sum for the Department of the Comptroller and Auditor General of the Exchequer.

(20.) £1,995, to complete the sum for Offices of Registrars of Friendly Societies.

(21.) £46,450, to complete the sum for the Department of the Registrar General of Births, &c. England.

In reply to Mr. F. S. Powell,

Mr. BAXTER stated that the publication of the Census Returns would be completed this year, though the whole charge was not included in the Vote.

(22.) £339,803, to complete the sum for the Local Government Board.

MR. C. E. LEWIS complained that the sum of £487 for the inspection of metropolitan vagrant wards was included in the Estimates.

MR. HIBBERT explained that the charge was thrown on the Estimates by Act of Parliament. The Government had appointed special Inspectors to visit the vagrant wards of the metropolis, at the request of the Commissioners of Police, and the change had been beneficial, the police no longer visiting the wards. He was happy to say that there were at least a third less vagrants in the metropolitan wards now than at this time last year.

MR. M'LAREN complained of a charge of £20,000, the expense of Parliamentary Returns.

MR. COLLINS thought a good precedent had thus been established, and he hoped that in future years the system would be extended. He hoped that the expenses of the Inspectors of Health and Nuisances would be put on the Consolidated Fund.

MR. RYLANDS said, the President of the Local Government Board some time ago gave the House a strong assurance that the expense of his Department would not be materially increased; but if hon. Gentlemen would look at the items of this Vote they would find that that expense had been very seriously increased. The item for Inspectors of Health and Nuisances had caused a very considerable increase of this Vote. He thought it was most undesirable to throw upon the Consolidated Fund local charges. If such charges were thrown upon the Consolidated Fund, he believed that in a very short time we should have all our towns superintended by Government officials.

MR. SCLATER-BOOTH said, this Vote contained an item of £100,000 for Inspectors of Health and Inspectors of Nuisances. Who were these Inspectors? He had been informed that in many cases these appointments had not been sanctioned, and therefore the Government were too hasty in putting down so large a sum for the expenses of these Inspectors. There was a growing tendency on the part of the Home Office, and on the part of the Poor Law and Lunacy Inspectors who were not responsible to that House, and who had no interest in economy, to force an increased expenditure on the local districts, and the tendency to economy came from the local authorities. There was also in that Vote an item of £20,000 for obtaining a Return of the landowners of England, and he could not see how such a sum was necessary for finding out the landed proprietors in England. He should like to know whether it was true, as had been stated the other day, that in consequence of the Act passed by his right hon. Friend (Mr. Hardy), throwing the cost of the sick and lunatic poor over the whole metropolis, an expenditure of £500,000 had been brought upon the common funds of the metropolis. He himself thought that a large portion of that sum was due to the Act passed by the right hon. Gentleman now at the head of the Admiralty, in which he threw upon the general funds a charge of 4*s.* per head for the maintenance of in-door poor in the workhouses of the metropolis.

MR. HIBBERT said, he was not able to give a direct answer to the last question asked by the hon. Gentleman the Member for North Hants (Mr. Sclater-Booth), but if he put it on another occasion he would be able to give him the information for which he asked. He had little doubt, however, that some of the increased expenditure on the establishments of the metropolis arose in consequence of the Act passed by his right hon. Friend the First Lord of the Admiralty. The hon. Gentleman had found fault with two items in the Vote. The one was the item of £20,000 for obtaining a Return of the landowners in England. Now, the expenditure which it was proposed to incur in obtaining a new Domesday Book had originated in the House of Lords, for it had been suggested by the present Earl of Derby. He did not know if the Government could be held entirely responsible for that Vote, but he had no doubt that the money would be well laid out in obtaining the information which the Return would give. The other item to which the hon. Member took exception was the sum of £100,000 for Medical Officers and Inspectors of Nuisances. The estimate might be an excessive one for carrying out an Act like the Public Health

Act; but he would remind the hon. Member that the the right hon. Gentleman the Leader of the Opposition said at Manchester that *sanitas sanitatum* was the great question of the day. He did not think, therefore, that the incurring of this great expense could be thrown upon the Government. The Sanitary Commission which was appointed some years ago made certain proposals, and the Act passed last year gave effect to some of these suggestions. The Government did not at first propose to give any aid to the local authority towards the payment of the Medical Officers of Health and Inspectors of Nuisances. The hon. Baronet the Member for South Devon (Sir Massey Lopes) proposed that the Government should agree to pay a certain proportion of the salaries of these officers, and that proposal was supported by a great number of hon. Gentlemen opposite, and accepted by the Government. The hon. Member for Warrington (Mr. Rylands) complained that the President of the Local Government Board had not carried on the great combination of the several departments under the Local Government Board at a smaller expenditure than before. He (Mr. Hibbert) wished to point out that of the increase of £138,000, £100,000 was due to Medical Officers of Health, and £20,000 was due to Returns, and that the remainder of the increase was caused by the appointment of 12 additional Inspectors to carry out the Public Health Act, and by an increase in the sum for Poor Law Medical men, over which the Government had no control. His right hon. Friend at the head of the Department had endeavoured to carry out the combination of the different departments under the Local Government Board not only with efficiency, but with economy.

Mr. COLLINS thought that all matters connected with health and sanitary improvement should be left to the local authorities. If, however, the Government imposed certain duties on the local authorities, it was quite fair that they should pay a part of the cost.

Mr. DILLWYN said, there was little use complaining, but as they had incurred the Bill they must pay it.

Mr. CORRANCE pointed out that in this item of £100,000, they had only half of the expense which had been occasioned by the public, allowed, and that the expense of these Medical Officers and Inspectors was not nearly what it would be when they were fully appointed. What hope or expectation did the hon. Gentleman entertain that the appointment would be completed? He would certainly ask for an explanation how it was that this large sum should be at present required, and upon what data he based it?

Mr. CAWLEY would be glad if the hon. Gentleman would state what proportion of Medical Officers who had been appointed had elected to take the contribution from the Government, and how much of the £100,000 would be required? He would also like to hear an explanation of the large increase in law expenses—from £700 to £3,675.

Mr. HIBBERT, in replying, said, that that the hon. Gentleman who had just spoken would agree with him that it was impossible for him to carry in his head the Returns of the different local authorities in the country. He could not tell him how many authorities had refused to accept the Government aid; but from day to day there were from 50 to 60 different applications to deal with, and it was impossible, however much he tried to ascertain the number, to keep a correct note of them. The last time he had any Return showed that 150 authorities had appointed Officers of Health, and 145 authorities had appointed Inspectors of Nuisances; and, in addition to that, there were seven combinations of whole counties which had appointed Officers of Health. That, he thought, was a very satisfactory state of matters. He could not state the number of local authorities who had declined to accept the Government aid. It was the wish of the Government to make the system as elastic as possible, and by that means it had tended very greatly to carry out the intentions of the Act. With regard to the law charges, the increase was put down in consequence of the cases coming from local authorities on which daily consultation was required.

Mr. STEPHEN CAVE, as a member of the Sanitary Commission, was willing to share with the Government the responsibility of the increased cost in respect of medical officers. He wished to know on what data the £100,000 had been charged; whether it was merely an estimate, or whether it was based upon expenses which had been already ascertained from each locality? With respect, however, to the Inspectors of alkali, he asked what prospect there was of being free for the future from this Vote, and he expressed an opinion that the expenses under the Alkali Act should for the future be borne by the alkali manufacturers themselves.

Mr. HIBBERT replied, that the Local Act Inspectors were only transferred to the Board from the 1st of January, and the various questions arising in connection therewith had not been yet considered. The £100,000 was a mere estimate.

(23.) £12,335, to complete the sum for the Lunacy Commission.

(24.) £43,850, to complete the sum for the Mint.

(25.) £14,795, to complete the sum for the National Debt Office.

(26.) £23,456, to complete the sum for the Patent Office.

Mr. HINDE PALMER asked whether the salary given as compensation to the Law Officers of the Crown under the Act of 1852 was to be considered as attached to the offices of the Law Officers, or whether it was to be paid only to the gentlemen who held the offices when the salary was created? He thought that in the case of the Attorney General for Ireland, the Lord Advocate for Scotland, &c., the compensation should have merged in the salary of the appointment. So far as he could construe the Act, it was never intended to apply this compensation to the offices, but that the compensation should be given to gentlemen who at the time held the offices and lost the fees.

Mr. MACFIE trusted that the Government would carry out the recommendation of the Commissioners.

The ATTORNEY GENERAL said, a Bill to carry out certain reforms in the Patent-office was under the consideration of the Lord Chancellor, and would, no doubt, soon be presented to Parliament.

(27.) £21,506, to complete the sum for the Paymaster General's Office.

(28.) £19,081, to complete the sum for the Public Record Office.

(29.) £3,764, to complete the sum for the Public Works Loan and West India Islands Relief Commissioners.

(30.) Motion made, and Question proposed,

> "That a sum, not exceeding £365,703, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for Stationery, Printing, Binding, and Printed Books for the several Public Departments in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, Printing, and Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office."

Mr. SCOURFIELD suggested that the printing and stationery account might be reduced by issuing fewer Reports, and said there were so many at present that they were never read.

Mr. CALLAN moved that the same account should be reduced by £13,000, being the amount of certain defalcations in parchments, vellums, and skins recently discovered in Ireland. His reason for doing so was that no satisfactory explanation had been given of how the defalcations had been allowed to escape previous detection.

Motion made, and Question proposed,

> "That a sum, not exceeding £352,703, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for Stationery, Printing, Binding, and Printed Books for the several Public Departments in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, Printing, and Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office."—(*Mr. Callan.*)

Question put, and *negatived.*

Original Question put, and *agreed to.*

(31.) £20,381, to complete the sum for the Office of Woods, Forests, &c.

(32.) £35,072, to complete the sum for the Office of Works and Public Buildings.

(33.) Motion made, and Question proposed,

> "That a sum, not exceeding £20,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for Her Majesty's Foreign and other Secret Services."

Mr. RYLANDS objected to the useless expenditure incurred under this Vote, and would therefore move its rejection. It belonged to an age gone past.

MR. MONK complained of the magnitude of the Vote, although it was not so large as formerly.

VISCOUNT ENFIELD said, he regretted that from the very nature of the Vote he was unable to offer any explanation. He thought, however, that valuable information was obtained by means of its expenditure.

MR. KINNAIRD said, that the noble Lord's first reason was a very good one for the rejection of the Vote.

Question put.

The Committee *divided:* — Ayes 83; Noes 22: Majority 61.

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

House adjourned at One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 28*th April*, 1873.

MINUTES.] — *Sat First in Parliament* — The Viscount Canterbury, after the death of his brother.

PUBLIC BILLS—*Second Reading*—New Zealand Roads, &c. Loan Act (1870) Amendment* (76).

*Committee—Report—*Portpatrick Harbour (71).

PORTPATRICK HARBOUR BILL.

(*The Earl Cowper.*)

(NO. 71.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

THE MARQUESS OF LANSDOWNE, in moving that the House go into Committee, said, that, in answer to an inquiry made by the noble Duke opposite (the Duke of Richmond) on the second reading of the Bill, he had now to explain that though the Bill had been referred to a Select Committee, the local proprietors who had petitioned against the measure did not appear before the Committee. It would, however, be in their power, should they think fit to do so, to apply to the Board of Trade for a provisional order to levy rates for the maintenance of the harbour, which in future would not be used as a packet station, but only for local traffic.

House in Committee accordingly; Bill *reported,* without Amendment; an Amendment made; and Bill to be read 3ª *To-morrow.*

House adjourned at a quarter past Five o'clock, 'till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 28*th April*, 1873.

MINUTES.]—NEW WRIT ISSUED—*For* Bath, *v.* Sir William Tite, deceased.

SUPPLY—*Resolutions* [April 25] *reported.*

WAYS AND MEANS—*Resolutions* [April 24] *reported.*

PUBLIC BILLS—*Ordered—First Reading*—Woods and Forests* [140].

Second Reading—Stipendiary Magistrates (Scotland)* [129]; Local Government Board (Ireland) Provisional Order Confirmation* [139].

Committee—East India (Loan) [103]—R.P.

Committee—Report—Australasian Colonies (Customs Duties)* [106]; Poor Allotments Management* [113].

Considered as amended—Gas and Water Provisional Orders* [126].

Third Reading — Railway and Canal Traffic [121]; Canonries* [18], and *passed.*

EDUCATION (INDIA).—QUESTION.

MR. STAPLETON asked the Under Secretary of State for India, Whether it is the intention of the Indian Government to make any, and if any, what alteration in the policy they have hitherto pursued with respect to religion and morals in the education of natives?

MR. GRANT DUFF: Sir, in reply to my hon. Friend, I have to say that the Indian Government has no intention whatever of altering its policy in that matter.

COMMISSION ON LOSS OF LIFE AT SEA.

QUESTION.

MR. T. H. SMITH asked the First Lord of the Treasury, Whether, considering the great interest felt in the proceedings of the Royal Commission on Loss of Life at Sea, and the decision of that Commission to sit with closed doors, he will take steps to have the evidence laid before Parliament in detached portions as soon as may be convenient after it has been given?

Mr. CHICHESTER FORTESCUE: Sir, this appears to be a matter mainly dependent upon the discretion of the Royal Commissioners themselves. I am informed that the Commissioners have resolved not to make their proceedings public from day to day, and I have no doubt that in their minds the same reason which led them to that conclusion would lead them to the conclusion that the evidence ought not to be made public in the course of their proceedings.

ARMY—BARRACKS.—QUESTION.

Mr. O'REILLY asked the Surveyor General of Ordnance, Now that the depôt centres are determined on, he will consider the advisability of selling some of the existing small barracks (not forts) at places not intended for depôt centres, of which there are 46 infantry barracks accommodating less than 300 men, and 15 cavalry barracks accommodating less than 100 men, as shown in a Return of 1867?

Sir HENRY STORKS: Sir, no new buildings have yet been made available under the new arrangement, and the House is aware that there is a considerable deficiency of barrack accommodation in the country, for which the new barracks would have to provide; but certainly, whenever any barrack proves to be useless or unnecessary for the public service, it will be disposed of for the benefit of the Exchequer.

ARMY—SANDHURST COLLEGE—EXAMINATIONS, 1870—DIRECT COMMISSIONS.—QUESTIONS.

Colonel STUART KNOX asked the Surveyor General of Ordnance, Why the pledges have not been fulfilled which were understood to have been given to the Candidates for Commissions in the Army who passed their examinations in 1870, and who went to Sandhurst believing that, if they passed through a year's course of study at the Royal Military College, and served satisfactorily for twelve months with a regiment, they would be promoted to be Lieutenants? In explanation of the Question, he would mention that in 1870 some hundreds of young gentlemen passed their examinations for the Army, and at the end of the year or the beginning of 1871 about 100 of them were told that if they passed one year creditably at Sandhurst, and then served satisfactorily for twelve months with a regiment they would be promoted to be Lieutenants. This promise was repeated in an Army Circular subsequently issued.

Sir HENRY STORKS: All those, Sir, who passed at the examination for direct commissions in 1870 were arranged in the order of merit in which they passed their examination, and the privilege of going at once to Sandhurst was offered to each of those at the head of the list in the same order, with a positive assurance that he would sustain no injury by not availing himself of the offer. Those who went to Sandhurst in February, 1871, did so under the following conditions:—

> "Those gentlemen who pass a creditable examination at the termination of their course will, upon joining their regiments, be exempted from the 'Special' Army Examination in all subjects except Military Law."

Those who went in February, 1872, after the Royal Warrant had been issued, were told, in addition to the above, that they might

> "Receive their commissions as Lieutenant after twelve months satisfactory service with a regiment, under the provisions of the Royal Warrant of 30th October, 1871, Article 30, provided that they shall not be gazetted as Lieutenants until they have been two years in the service from the date of their commissions as Sub-Lieutenants."

Were those, therefore, who went to the Royal Military College in 1871, to obtain lieutenancies after one year's service—they would be placed in a more advantageous position than many who passed above them in the examination, and who either went to Sandhurst in 1872, or did not avail themselves of, or had not the option of going at all to the College. The answer, therefore, is that the course actually adopted has fulfilled the pledges understood to be given, and the course suggested in the Question would have been at variance with them.

Colonel STUART KNOX said, he had another Question to ask—namely, Why were not those officers promoted who it was said the other night were to be promoted at the end of twelve months; by whose authority were they not to be promoted; and who was it that set the Royal Warrant at defiance?

Sir HENRY STORKS said, he would answer the Question of the right hon. and gallant Member if he would be good enough to give Notice of it.

Colonel STUART KNOX said, that in putting his Question the other night to the right hon. Gentleman the Secretary of State for War, he had asked him to read the Warrant, and not to trust to anyone else.

Afterwards—

Colonel STUART KNOX gave Notice that he would move for a Copy of the War Office Circular and the Queen's Warrant, which had been set at nought by the Secretary of State for War.

DOVER HARBOUR BILL.—QUESTION.

Major DICKSON asked the President of the Board of Trade, If he has considered the Dover Harbour Bill now before Parliament, and what course the Government intend to pursue with reference thereto?

Mr. CHICHESTER FORTESCUE, in reply, said, that he was unable to state at that moment the course the Government intended to take with respect to the Bill, and the whole question of dealing with Dover Harbour, but the subject was being carefully considered, and he hoped to be able to give a fuller answer on a future occasion.

RAILWAY AND CANAL COMMISSIONERS.

ANNOUNCEMENT OF NAMES.

Mr. CHICHESTER FORTESCUE said, he would take that opportunity of stating to the House the names of the Gentlemen who had expressed their willingness to accept the appointments of Railway and Canal Commissioners in the event of the Bill which was now passing through Parliament becoming Law. Their names were as follows:—The right Hon. Sir Frederick Peel; Mr. William Price, now M.P. for Gloucester; and Mr. Mac-Namara, Q.C., now a County Court Judge. There was no foundation for any of the reports which had appeared in the public journals as to these appointments having been offered to other gentlemen than those he had just named.

EDUCATION DEPARTMENT—ADVERTISEMENTS.—QUESTION.

Mr. BOURKE asked the Vice President of the Council, Whether he has any objection to give a Return of the number and names of the provincial newspapers in which advertisements, signed F. R. Sandford, secretary, have been issued from the Education Department within the last twelve months, and also a Return of the expenses incurred during the last twelve months for advertisements in provincial newspapers in respect of Notices A. and B. under section nine of "The Elementary Education Act, 1870;" and, whether the newspapers in which the above advertisements are inserted are selected by the Local School Boards or by the Education Department?

Mr. W. E. FORSTER: Sir, the advertisements referred to are those which, under the provisions of the Education Act, had to be inserted in provincial newspapers by the Education Department, and not by the Local School Boards. There will be no objection to produce the Returns if the hon. Gentleman will move for them.

INDIA—RAILWAY GAUGE—THE PUNJAUB LINES.—QUESTION.

Sir CHARLES WINGFIELD asked the Under Secretary of State for India, Whether the question of gauge for the Punjaub Lines of Railway has been decided by the Secretary of State or referred for the consideration of the Viceroy of India?

Mr. GRANT DUFF: The question, Sir, of the gauge for the Punjaub lines of Railway is still under consideration, the Secretary of State in Council having, since the discussion of the 7th March in this House, addressed the Viceroy in Council with reference both to that discussion and to a Despatch from the Viceroy which reached the India Office three days after it. The question remains and must remain an open one, till the reply of the Viceroy to the Secretary of State's last Despatch has been received and considered by him.

METROPOLIS—THE PARKS—BATHING ACCOMMODATION.—QUESTION.

Mr. HOLMS asked the First Lord of the Treasury, Whether the Treasury has come to any decision as to the application of that portion (about £45,000) of the late Mrs. Brown's fortune, which she shortly before her decease left in the hands of trustees, and intimated that she wished should be applied to providing further bathing accommodation in the four Royal Parks of the Metropolis; and, if so, what that decision is?

Mr. GLADSTONE: I am sorry, Sir, to say I cannot give an answer to my hon. Friend now, nor can I promise him an early answer. All I can promise is that the matter shall be carefully considered when the time arrives; but, according to the rules of the Treasury, the time has not come to consider this interesting question, for the Treasury never interferes in a matter of this kind till the administrator has got in his estate. He, however, has not performed his function in this case, and, consequently, we have not yet arrived at the first stage of the business. I am informed that the sum in question is rather larger than that stated by my hon. Friend — about £55,000—and even when the administrator has concluded his operations I believe the time will not have arrived for the Treasury to take the matter in hand, because the right of the Crown would only arrive then in cases where there were no persons who could make good their claim as next-of-kin. Now, I understand that notice has already been given by several parties claiming to be next-of-kin who will take legal measures for the purpose of making good their claim to the money, and it is not until these claims are disposed of that the Treasury can exercise any jurisdiction in the matter.

PORTUGAL—COMMERCIAL TARIFF.

QUESTION.

Mr. GRIEVE asked the Under Secretary of State for Foreign Affairs, Whether he has received information that the Portuguese Government on the 18th March passed a decree, to come into force in a few days thereafter, adding one per cent ad valorem to the existing general tariff on all imports and a half per cent on all exports; but that the Countries having special Treaties with Portugal, such as France and Germany, with differential tariffs, are exempted?

Viscount ENFIELD: Sir, information of the nature indicated in the hon. Member's Question has been received by the Foreign Office, and official communications on the subject of the commercial relations between Great Britain and Portugal are now proceeding.

WAYS AND MEANS—REPORT—DIRECT AND INDIRECT TAXATION.

FIRST NIGHT.

Resolutions [April 24] *reported.*

Motion made, and Question proposed, "That the said Resolutions be now read a second time."

Mr. W. H. SMITH, on rising to move the Resolution of which he had given Notice, said, that if any apology were needed for his Motion he should find it in the statements of the public Press during the last week, in the remarks of the First Lord of the Treasury in answer to the deputation on the income tax, in the letter addressed by the Premier to Colonel Hogg, and, lastly, in the answer given by the First Lord of the Treasury last week to the Question put by the hon. Member for South Devon (Sir Massey Lopes). He should probably be met in the first instance by being told that the course he proposed ought not to be taken in the interests of trade—that the Budget brought forward three weeks ago foreshadowed a considerable reduction in the duties upon an important article of commerce which ought not to be lightly disturbed by the House. In answer, however, to the hon. and learned Member for Oxford, the Chancellor of the Exchequer said he did not intend to bind the House in any shape or way by the financial statement which it would be his duty to make on the Monday before the Recess, and that the House would be left perfectly free when it re-assembled to deal with his financial proposals as it might think fit. It was not, therefore, upon individual Members who thought it right to question the right hon. Gentleman's proposals that any charge of causing the derangement of trade could rest, but with those who asked the House to accept changes of so important a character a fortnight before it was possible that the decision of the House could be taken, and three weeks before it was possible practically to challenge them. He had a precedent in the course taken by the First Lord of the Treasury himself in dealing with the Budget of his right hon. Friend (Mr. Disraeli) in 1852. His right hon. Friend the Member for Buckinghamshire had proposed to refine sugar in bond, to remit half the malt tax and hop duty, and reduce the duty on tea.

The right hon. Gentleman (Mr. Gladstone) was reported in the usual record of their debates to have said—

> "In making provision for the service of the year the House of Commons ought not to remit taxation until you have made sure of your Ways and Means for the year, and, therefore, I may presume to say to the right hon. Gentleman that he would be wrong if he called on us to deal with the minor items of his Budget—if he called on us to settle the question of the house tax—and especially if he called on us to proceed to the remission of any duty, until he had obtained from this House a new recognition of the principle of the income tax. And, in so doing, I stated the principle on which Sir Robert Peel proceeded in 1842. At that period he was pressed from all quarters, and with much reason, because of the great inconvenience to trade in consequence of delaying the discussion of the tariff. He was requested to proceed with the discussion on the tariff before that on the income tax. He steadily refused."

The position in which he (Mr. W. H. Smith) now stood was in some respects analogous to that occupied by the right hon. Gentleman in 1852. The House of Commons last year, by a large majority, affirmed the principle that relief ought to be given to local taxation. The First Lord of the Treasury, in answer to a Question put by the hon. Member for West Cornwall (Mr. St. Aubyn), promised that a Bill should be introduced next (this) year, which was to provide—"Thirdly, for equality as between the various classes of the community in respect to the aggregate contributions they make to the public burdens." A distinct undertaking had thus been given by the First Lord of the Treasury, so late as the 1st of August last year, that a Bill should be introduced to remove the anomalies and excessive contributions exacted from the ratepayers for local burdens. Her Majesty's Government, in the Speech from the Throne, at the beginning of the present Session, renewed the engagement then made. The House was now told, in the letter addressed by the right hon. Gentleman to the Chairman of the Metropolitan Board of Works—

> "That the Government had abandoned all hope of the kind for the present year, and that if the House of Commons should definitively adopt by vote the leading propositions of the Budget it would determine its own attitude in the same sense."

His justification for the present Motion was to be found in the last paragraph of the letter to Colonel Hogg. If the House of Commons accepted the Budget and the remission of the sugar duties now proposed, if it consented to lower the income tax by a penny, and to pay half the Alabama Claims in the course of the year, it was clear that there was nothing whatever to be given for the relief of local taxation. It was not only so, but it was equally clear that next year also there would be nothing available for that purpose. It was within the recollection of the House that the Chancellor of the Exchequer, having estimated the revenue at an amount quite equal to the most sanguine expectations that could be formed, had only been able to provide for the payment of half the Alabama Claims. An estimate had been presented to the House that a sum of £3,200,000 would be required for this purpose, which sum would nominally be charged against the Ways and Means out of the resources of the year. The Chancellor of the Exchequer had stated frankly, however, that although he hoped, he did not expect that the revenue of the year would admit of that payment being made out of the income of the year, and, therefore, it would be necessary that the sum of £1,600,000 should be met by Exchequer Bonds payable next year. By this proceeding he had pledged the whole revenue of the country, not only for the year ending March 31, 1874, but also for the year ending March 31, 1875. He did not expect that every hon. Member would agree with him, but if the House would give him its patient attention he would endeavour to show that his statement was not wholly without foundation. He had ventured in his Amendment to ask the Government to state their policy with respect to Imperial and local taxation. He had taken that course because he believed all taxes had been rendered more or less unsafe by the action of the Government. As hon. Members knew, there was an agitation, and a serious agitation, against the income tax, and many hon. Gentlemen had been asked to pledge themselves to the total, complete, and unconditional repeal of the income tax. So lately, indeed, as the commencement of the present Session a meeting was held at which the chair was taken by a right hon. Gentleman, who was a consistent supporter of the present Government, who had held high office, and who might do so again. That right hon. Gentleman pleged himself and the meeting in favour of the total, complete, and unconditional repeal of the income tax. The Chancellor of the Exchequer recognized that agitation as serious, and because it was serious, he had reduced the tax by 1*d.* A deputation waited upon the right hon. Gentleman the First Lord of the Treasury, and they were told that the proposal for the repeal of the income tax was a very wide proposal. The right hon. Gentleman, moreover, expressed a doubt as to whether all the gentlemen present at the deputation were prepared to take up that ground, but added that his own desire and the desires of the Government were in the same direction. [Mr. GLADSTONE dissented.] He should be sorry to misrepresent the right hon. Gentleman, and what he was now stating was extracted from the Press.

MR. GLADSTONE said, that what he had stated was that, speaking for himself, he had as much reason as any gentleman on the deputation for desiring the repeal of the income tax.

MR. W. H. SMITH thought that even that statement was calculated to create the impression in many minds that the income tax was insecure in the opinion of the right hon. Gentleman. For his own part, he could not but regard the income tax as insecure, but its insecurity, he believed, arose not from any unwillingness on the part of the public to pay a reasonable amount of taxation, but from the unwisdom and the want of discretion and judgment on the part of those whose duty it was to administer, to assess, and to collect the tax. If in the management of the tax there had been the same discretion and judgment displayed as in the ordinary affairs of life, much of the discontent now excited by the income tax would have had no existence at all. He could not help thinking that the course adopted by the Government of giving a small reduction of 1*d.*, instead of considering fairly the anomalies, the inconveniences, and also the suffering imposed by the income tax was in itself a very dangerous course. The hon. Gentleman the senior Member for Brighton, whose speeches were frequently heard with advantage in the House, had urged upon the Government the propriety of exempting altogether from income tax the first £150 of everybody's income, and he believed that the course which the hon. Gentleman recommended would, if the Government were bent upon touching the income tax at all, have been much better than the course they had adopted. A justification might have been found for that course, for there was a large class among the artizans and labourers in this country who were earning £150 a-year, and who were not only not paying income tax, but whom it would be impossible or, if possible, very undesirable to compel to pay. He would venture to ask the House what the policy of the Budget really was. The policy of the Budget was to swallow up every farthing of surplus which could exist this year and next year. The policy of the Budget was to deprive the House of Commons of the power of dealing with a question which it had already decided to be of very grave and serious import to the taxpayers of the country. The policy of the Budget was, he ventured to think, to embarrass the hands of any right hon. Member who might next year or the year after stand in the position now occupied by the Chancellor of the Exchequer. There could be no doubt whatever that that was the object of the Budget as it was proposed. In 1870 the right hon Gentleman the Chancellor of the Exchequer said—

> "I think the best plan is to make a good sweeping change once for all, and let sugar have rest. The change I propose to make is to reduce the duty on sugar one-half. . . . . I wish it to be clearly understood that, in making this proposal, I am not preparing the way for either further reduction or for abolition, but that I have gone as far as I intend, and make this declaration in order to give stability to the trade, and free it from periodical annoyance, owing to apprehensions of change."—[3 *Hansard*, cc. 1642.]

He thought that the mind of the right hon. Gentleman must have undergone a rapid change since that time. But the right hon. Gentleman went further, and said he was not willing to let go any branch of the revenue which was levied with tolerable ease and without any grievous pressure. He should like to ask whether the policy of Her Majesty's Government in reducing the sugar duties by one-half was not letting go a valuable source of revenue which bore with no grievous pressure on the community. Since the proposal of the right hon. Gentleman he had heard it said on all sides that what remained of the sugar duties was so small that next year the tax would have to be totally and completely abolished. Well, he should not himself object to the complete repeal of the sugar duties if he believed that such repeal would in any way benefit those whom it was supposed to benefit. He had not, however, heard of any person who believed that sugar would be any cheaper to the poor in consequence, although it had been suggested that it would not result in an increase of price. He ventured to think that the course suggested by the right hon. Gentleman the First Lord of the Treasury when he was in Opposition in 1851 was the course which ought to be taken on the present occasion. The right hon. Gentleman then said—

> "What they ought to do was this—To adopt the principle laid down in the Motion of the hon. Member for Buckinghamshire, that the surplus they had on hand was not at the moment to be given away without the slightest reference to future necessities. . . . The fundamental objection to the Government plan was that it cut off to a certain extent a most valuable source of public revenue at a moment when, by the course adopted by the House with respect to the income tax, a resort to that resource might be highly essential to the maintenance of the interests of the country and of the public credit, which they all had at heart."—[3 *Hansard*, cxvii. 1450.]

He confessed he always derived great advantage from reading the speeches of the right hon. Gentleman, and he hoped that this speech delivered 20 years ago, at a time when the right hon. Gentleman was, in the opinion of many of his friends, just as sound in his commercial policy as he now was unsound, would induce him to reconsider his determination. What was the basis of the present Budget? It was based upon high prices, high wages throughout the country, on exhorbitant prices of iron and coal, and on such general circumstances of inflation of trade as were sufficient to make every one feel anxiety for the commercial prosperity of the country for the next year or two. The general experience was that, whenever there was an enormous rise in prices, there was always, subsequently, a corresponding depression. What had been the rise in the price of coal? For manufacturing purposes it was at least three times the price which prevailed in 1870. He had received a letter from a gentleman who stated that he consumed 3,000 tons of coal per week in his works, and that while the average price per ton during 15 years had been 6*s.*, the present price was 20*s.* to 25*s.*, while the manufacture of a ton of iron represented the consumption of four tons of coal. At this moment the gentleman who wrote that letter was not paying the highest price, because he had entered into contracts which would expire in the course of the present year, but the full effect of the high prices would be felt by the manufacturers, unless there was a great re-action in the course of the present year. So that to suppose that the enormous iron trade of the country would be maintained at its present figure when the cost of the manufacture of iron from the crude material was £3 per ton higher than it was three years ago, and that solely in the article of coal, was to take a very sanguine view indeed. But, in addition to that, higher wages were now paid than formerly. There was, therefore, reason to apprehend that the present exceedingly prosperous state of the country might be followed by a considerable diminution of that prosperity—that prices must fall, that the demand for the raw material must fall also, and that there would be a diminution also in the demand for coal, and probably for iron. The consequence of such an absence of demand would be an attempt on the part of employers to reduce wages. Reduced wages would probably —he said it with regret—be succeeded by strikes, and strikes would have a very serious effect upon the consumption of the article on which the Chancellor of the Exchequer counted so much—namely, spirits. The prosperity which the Exchequer enjoyed was largely based upon the consumption of exciseable articles, beer and spirits—chiefly spirits; and although the return this year had been far higher than it ever was before, the right hon. Gentleman the Chancellor of the Exchequer calculated upon a return next year of £600,000 in excess of that of the past year; although those who desired the welfare of the country could not but fear that there must be a re-action in the prices paid for labour, in the cost of raw materials, in employment, in the rate of wages, and also, he ventured to hope, in the consumption of spirits, which he wished to see diminished instead of increased. The Estimate of Her Majesty's Government was therefore, to say the least of it, a very sanguine one

—far more so than any which had been submitted to the House for the last ten years. But if he were correct in the apprehension he had expressed—and it was not confined to himself—the deficit which might possibly arise this year would be followed by a still greater deficit next year, because at least as large a sum would be required from exciseable articles for the year ending the 5th of April, 1875, as for that ending the 5th of April, 1874, in order to meet the payment of Exchequer Bonds, which would be thrown into the next year's account owing to our failing to pay the Alabama Claims in full during the present year. For himself individually, he must say he deeply regretted the course which Her Majesty's Government had taken with regard to the Alabama Claims. The right hon. Gentleman the Chancellor of the Exchequer said he felt the provision which had to be made for payment of the Award ought fairly to be made out of the revenue of the year, but he had not really made it a charge upon the revenue of the year. The right hon. Gentleman insisted on throwing it over two years, calculating the revenue and liabilities of next year upon Estimates which he (Mr. Smith) believed to be in excess, though he hoped they might not prove to be so. How, he asked, could the course taken by Her Majesty's Government be reconciled with the Resolution passed last year by the House, with the indication of their intentions given by Her Majesty's Government, or with the assurance which was to be found in Her Majesty's Speech. He ventured to assert that if the circumstances under which the House came to that Resolution last year were sufficiently strong to induce them to do so, those of the present time were stronger still. Local taxation had grown, was growing, and would, he feared, continue to grow, and that, in many respects, independently of the control of those who administered it. Parliament from time to time ordained, directed, and controlled matters affecting local taxation in a very large degree. Local taxation to a great extent was a part of Imperial policy. Parliament ordained; the Executive controlled and directed. An army of Inspectors was spread over the country to see that the directions which Parliament gave were efficiently carried out. The Resolution which his hon. Friend the Member for South Devonshire moved last year insisted upon the expediency and necessity of providing for the charge involved by police, lunatics, and justice, so far as they were now paid out of local taxes. He was very far, indeed, from desiring to relieve local bodies from the responsibility of administering their affairs in the most economical manner. That was an essential principle in local government. But they could not shut their eyes to the fact that while local taxation was spread over an area representing £120,000,000 sterling, the property which it benefitted might be held to be coterminous with that which was represented by the returns for the income tax, and which amounted to £450,000,000 sterling. In other words, it had been the policy of Parliament to throw the whole burden of local taxation upon one class of persons, to the exclusion of those who were equally well able to pay it and derived equal benefit from it. What had the growth of local taxation been since the passing of the Resolution to which he had referred? A Return had been distributed to hon. Members within the last few days as to the poor rate levied for the year ending Lady-day, 1872, from which it appeared that the amount raised by poor rate was £12,100,000, or an increase in 1872 over the amount raised in 1871 of £500,000, and that notwithstanding a decrease of pauperism in England of 9.9, or in round numbers 10 per cent. That was the result of a policy deliberately pursued by Parliament and carried out by the Executive Government. He was not contending that that was an unwise policy, or that it was unsound in principle, but he did contend that it was a policy by which the whole population was benefited, and in which all parties were alike interested. The possessors of personal property were as much interested in the policy which was intended to repress pauperism and elevate the masses as were those who paid the rates and whose direct interest was limited to £120,000,000. But he preferred to speak of matters which came home to his own more immediate friends and neighbours, and would, therefore, take the case of the metropolis so far as local taxation was concerned; and he would mention figures which he thought would startle the House. The right hon. Gentleman the First Lord of the Admiralty, in the year 1867, spoke in that

House of the heavy increase which had taken place in the local taxation of London, and he showed that the rates of various kinds paid in London in that year amounted to £3,500,000. From a Return which was laid on the Table last year it would be seen that the amount paid in the metropolis for the year ending the 5th of April, 1872, amounted to £4,452,000—an increase of more than 25 per cent in a period of five years. The actual expenditure, moreover, was £6,292,000, so that there was a debt of £1,800,000 contracted, which would have to be paid by instalments during future years. He was finding no fault with the policy of successive Administrations and Parliaments in requiring care to be taken of the sick and poor, and improved arrangements which had involved a large expenditure; but expenditure caused by the direction of Parliament and the specific control of the Executive Government was not, properly speaking, expenditure by local authority. No local authority could build a workhouse, appoint an officer, or borrow money without the sanction of the Local Government Board. Taking the local rates of the metropolis as a poll tax, they amounted to 28*s.* per head, an amount which must amaze hon. Gentlemen opposite, and must confirm the view of many of them who joined last Session in the majority which affirmed the Motion of the hon. Baronet (Sir Massey Lopes). He had no wish for an indiscriminate subsidy, for nothing would tend more to increase local expenditure than a Parliamentary vote in aid of the rates, but it was quite another matter to refuse all relief, as the Government were practically doing, notwithstanding the engagement into which they had entered. He could appeal to the remarks of the Prime Minister in 1852 on the impolicy of tying the hands of Parliament or of a future Government with regard to the fulfilment of engagements. The right hon. Gentleman said—

> "I ask you if you approve of a Government which, in submitting its plan, announces a popular principle, obtains a temporary harvest of popularity, and leaves the question of giving effect to its announcements to the chapter of accidents,"

Now, unless the House induced the Government to show what its policy was, the postponement for a few days of the acceptance of their financial scheme was the only alternative to leaving relief to the chapter of accidents. The latter course would be "keeping the word of promise to the ear, but breaking it to the hope." The present First Lord of the Admiralty, speaking in 1867, when local taxation amounted to £3,500,000, showed that the direct pressure upon the inhabitant of a West End house was 1½ per cent on his income, while on the artizan, assuming that he earned 25*s.* a-week and paid 5*s.* for rent, it was 6 per cent. The rates had since increased by £1,000,000, and the pressure must now, therefore, be much greater. A large proportion of the working men, in London at all events, lived in lodgings, the landlord paying the rates and necessarily charging a sum which would more than cover the rates he might expect to pay and the risk he incurred in paying them. The occupier thus paid even a larger amount than that estimated by the right hon. Gentleman. The pressure was peculiarly severe on the large class of men struggling for subsistence on incomes of £70 to £150 and £200 a-year. They were a quiet orderly class, with no organization or trade union, no means or desire of bringing masses of people together to make their influence felt by the Legislature, and the pressure of the last year or two had been most severe on them, the very prosperity of the country tending to increase their sufferings. It was notorious that large numbers of families living on small fixed incomes had been compelled to do with one fire instead of two, to dispense with some needed article of clothing, and to lessen their meals on account of the high price of meat. This class was, as a rule, virtuous and quiet, possessed of some culture, and in many respects the mainstay of society. Surely their necessities ought to be considered, and a course which disabled the House from giving them relief ought not to be persevered in. It was not necessary to the welfare and prosperity of the country that such a course as that proposed by the Government should be taken, and no greater mistake could be made than to absorb the last farthing of possible, not probable, receipts, leaving it doubtful whether at the end of the year further charges might not be incurred. The Government proposals would render relief impossible this year, and he believed next year also. The country had been prosperous, large profits had been made by trade and large sums laid by. Let this, in some respects, factitious prosperity be taken advantage of in order to do justice to classes well entitled to consideration, and let the House hesitate in a course which would not bring honour to the country, or prosperity to the party which recommended it. The hon. Gentleman concluded by moving the following Resolution :—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "before deciding on the further reduction of indirect taxation, it is desirable that the House should be put in possession of the views of the Government with reference to the maintenance and the adjustment of direct taxation, both imperial and local,"—(*Mr. William Henry Smith,*) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Motion of the hon. Member for Westminster (Mr. W. H. Smith) precludes our going any further in the matter of reducing indirect taxation until "the House is put in possession of the views of the Government with reference to the maintenance and the adjustment of direct taxation, both Imperial and local." Now, the first answer I shall offer is, that the hon. Member ought to permit us to go on with the reduction of indirect taxation, because we have already fulfilled the condition he prescribes. We have given the House our views with reference to the maintenance and adjustment of direct taxation, both Imperial and local, for they have been enunciated, much better than I could state them, in a speech of my right hon. Friend at the head of the Government—and which speech the hon. Member may have read, for he seems to have gone through all the speeches of my right hon. Friend for the last 22 years—in which he described the two kinds of taxation, direct and indirect, as twin sisters. He made a sort of little idyll of the matter, which those who heard it will not easily have forgotten, and compared them to a double cherry, with seeming, but not actual union. That, I hope, is sufficiently prosaic to satisfy the hon. Member's longing for information on the point, and therefore I return to a very different person—namely, myself. In the course of the Budget which I laid before the House I stated distinctly that the one merit which the Government relied on in it was, that the reductions made in direct and indirect taxation nearly balanced each other, and that in their view they thought that a most desirable course. These are our opinions with regard to direct taxation. We think that direct taxation, speaking roughly, is the taxation that falls upon the rich, and that indirect taxation, speaking also roughly, is the taxation which falls upon the poor. In saying that, I do not mean to say that rich men do not pay indirect taxes, nor that some direct taxes are not levied on persons who approach very nearly to the condition of poverty; but this I say with the utmost confidence that the great mass of indirect taxation is borne by the poor, and the great mass of direct taxation is borne by the rich, so that the proportion of each, borne by the other class, is very insignificant, and may, as mathematicians would say, almost be neglected in the calculation. These being our views, and being unwilling on the one hand that the poor should escape from taxation altogether being armed with so much power as they are; being also unwilling to press hardly on the rich, we advocate, and we shall continue to advocate, the doctrine that, without any tendency to pedantic equality, as a general rule reductions in one class of taxation should be accompanied by reductions in another. Therefore, I think we have answered the hon. Member's question so far. Now comes the second point on which he requires information before he will allow me to touch our indirect taxation, and that is the question of local taxation. On that subject I have nothing new to state, but I have to state that which I think ought to be eminently satisfactory to the House. The Government, as early as the year 1871, threw out boldly to the House a proposal by which, if it had been carried into effect, something like £1,200,000 a-year would have been surrendered for the relief of local rates. Subsequently, and indeed a very short time ago, my right hon. Friend stated that the Government did not retreat from the position which they then took up. They do not pledge themselves either as to the precise manner in which they will give this relief, or as to the precise time at which it should be given; but they have no intention of withdrawing from any pledge that they have given on the subject, and they undoubtedly hold themselves bound to go into the question. That is the position which the Government has taken up in regard to local taxation. They have done nothing that is inconsistent with that, or anything that should put it out of their power to fulfil the pledge which they have given. That is the question, and really the only question, which as far as I could find was seriously argued by the hon. Member in the course of his speech. Let us see how that matter stands. We are of opinion that this question of local taxation is one most serious and most important not merely as a question of money, but as a question of the whole future of this country and of its constitution that can possibly be imagined. And although we are pledged at present to consider this question, we have determined to do nothing rashly—nothing, if we can help it, that may cause irremediable mischief. It is quite clear that we might accompany the boon of relief to local rates with such an assumption of power on the part of the Central Government as might greatly damage or even destroy our system of local self-government. It is quite possible that we might find the bodies to whom we are to pay this money in so incomposite and so distracted a state, so unfit for the duties imposed upon them, that they would not be worthy recipients of such relief, and would not properly employ the boon if so given to them. It is quite possible also, that we may find the law in such a state that if any justice is to be done either to the ratepayers or to the public, whose funds are to be applied for their relief, it will be necessary that the law should be reviewed and reconsidered. It is necessary, for instance, that the enormous exemptions which now exist should be carefully scanned, and, as far as possible, removed; and it would not be just either to the ratepayers or to the taxpayers of the country to rush into a precipitate grant of public money without sifting these matters to the bottom. Then there is the question of re-valuation of assessments and other points in regard to rating, which those who have read the pamphlet of my right hon. Friend the First Lord of the Admiralty (Mr. Goschen) will admit to be in a condition of the most dreadful, discreditable, and hopeless confusion. Before we approach the question of disbursing public money for this purpose then, it is our duty carefully to look into these things; and therefore my right hon. Friend the President of the Local Government Board has given Notice of a Bill, or rather two Bills, which he will introduce almost immediately to deal with these subjects. He has also given Notice that he will move for a Committee on another most important subject—that of the local areas which are to form the units and boundaries of local taxation. These questions, we think, must be considered, solved, and adequately dealt with before we shall be justified in approaching the question of giving public money for the relief of local rates; and we give the best evidence of our sincerity by inviting the House to consider these subjects. Therefore, it cannot be said that so far as our action on the specific matter of local taxation is concerned we have been wanting in our duty to the House in endeavouring to clear away the obstacles which stand in the way of the settlement of the question. But then the hon. Member says we have put it out of our power to do anything this year for the relief of local taxation. That is perfectly true; we do not intend to do anything; and in our view of the case we should be inexcusable, and at the same time it would be highly objectionable if, with the state of confusion the subject is now in, and with all the anomalies and difficulties attending it, we attempted to do anything so rash and premature as to deal with it in the present Session, except under the heads of exemptions and such matters: I mean if we were to deal with it by grants of public money. But the hon. Member is not content with this; he says—"No; you have also put it out of your power to deal with it during the succeeding Session. You have broken faith with the House." And he says that I have tied the hands of my successor for the next year. Sir, I should be very unwilling to do that, because I fully intend next year to be my own successor. And I am sure that the hon. Member may trust my self-love, if he will trust no higher quality, that I will not tie the hands of that most respectable person. No doubt there are hon. Members sitting opposite who are well acquainted with and understand this important question, and I think it is a great pity that some of them did not offer a little counsel to the hon. Member, because the statements which he made were scarcely worthy of an occasion so serious as the present. The fact is this—during the present year, we undertake to pay out of the current revenue of the year half the expense of the Alabama Claims. The other half we hope to be able to pay off out of the surplus not appropriated of the revenue of the year. We hope and believe that we shall be able to do so. But if we are not able to do that we shall take the power of borrowing, in which case that £1,600,000 would become part of the Unfunded Debt of the country, and would be dealt with accordingly. We hope and believe we shall be able to do so, and we are not without reason for our hope and belief, because the hon. Member spoke of the balances of the Exchequer as if they consisted solely of the increase of the accruing revenue. That is not so. They also come from other sources—from repayments of loans that we are continually making, and, as we are repaid in the form of Terminable Annuities not only the interest, but a portion of the principal, there is a continual increment accruing in the balances. I will state a fact which may, perhaps, surprise the hon. Member for Westminster. Since I have been Chancellor of the Exchequer, in addition to what we have paid off under the agency of the Parliamentary Sinking Fund, we paid off no less than £3,600,000 of debt out of the balances in the last four years. And why should it seem impossible, in the state of the balances, which were never better than they have been in my time, that we should be able to pay the £1,600,000 in the present year. But, supposing we are obliged to borrow, does the hon. Member think that we pay off Exchequer Bonds out of the current revenue of the year? He must do so, if he supposes that the surplus of my successor next year, if we are unable to pay this £1,600,000, will be applied to the payment of that sum; but there can be no greater mistake. The £1,600,000 will become part of the Unfunded Debt, and will become liable to be paid off by the Parliamentary Sinking Fund, or by any other manner of paying off the Debt. Therefore, whether we are unable to pay it off or not during the year—although there is hardly a doubt that we can—it in no way affects the prospects of the Gentleman for whose safety the hon. Member is so anxious—my successor, who will have to introduce the Budget for 1874. Therefore the whole foundation of the hon. Member's argument, on which he taxed us with breach of faith, and quoted the words about "keeping the promise to the ear," and other matters that we have heard before, falls to the ground, from an entire misapprehension on his part of the very elementary matters of our finance. I have told the House pretty clearly that the Government have placed before it their views with respect to direct taxation, whether Imperial or local, and I should, therefore, like to call on the hon. Member to withdraw his Motion and allow me to proceed with my proposals at once in Committee. I greatly fear, however, that he will not do so, and I am, in consequence, obliged to proceed, at the risk of wearying the House, to follow up my argument to a much greater extent than I could wish. The first thing, therefore, I shall endeavour to show is that the Motion of the hon. Member is really a Motion not to modify, but to destroy the Budget; for if the Motion is carried, there is an end of the Budget. I will not say what is to become of the Government after: one horror is enough at a time; but the Budget, at all events, will be gone. That we are to be allowed to carry the Resolution with regard to the income tax makes no difference, for it is ridiculous to suppose that any Government which has framed its financial scheme on the basis of dealing impartially with the claims of direct and indirect taxation will, should the hon. Member succeed in intercepting the relief which was intended for the poor, proceed with their scheme. I therefore beg to assure the hon. Member that it is not merely the question of indirect taxation which he is arguing; it is the question of utterly destroying the Budget, with such consequences as may result should he succeed in effecting that object. Now, I will give the House one or two reasons why we think it is better that the Budget should not be destroyed. It has, in the first place, contrary to the opinion of the hon. Member, been subjected to a very severe test by having been brought on immediately before the

Easter holidays. Instead of having been an advantage, it could have been exposed to no more crucial test, because it was left to the criticism of the Press, not always very favourable to the Government, nor particularly favourable to me personally, during the Recess, when there was nothing special to write about. If a hole was to be picked in the Budget, there was no time better suited to the purpose, for there was nothing but my own feeble statement to criticize. Nevertheless, the Budget has been accepted by the country; and that being so, the hon. Member would, I think, have been wiser if he had not waited until our scheme had met with such general approval to make an attack upon it on grounds as it seems to me so ill-judged and unpopular. One claim I would make on behalf of this Budget is that it is moderate, that we have not sought to drive any principle or opinion to an excess, but that we have endeavoured, as far as lay in our power, to deal impartially with all classes. There is one set of reasoners who think that we might have treated the whole of the Alabama Claims as a debt, so as to have left the whole revenue of the year for the purpose of taking off taxes, and there is another class of reasoners who are of opinion that it comes within the service of the year, and that we might without much impropriety or inconvenience have paid it out of the revenue of the year. Well, we have taken neither course. We have prevented ourselves from being perhaps technically right, but also I think it will be admitted, from being substantially wrong, by doing, as far as we were able, equal justice. Now, with regard to the fact, that a great many gentlemen are much concerned because we have not paid the entire amount of the Alabama Claims out of the service of the year, the views, of those gentlemen are, I am afraid, not a little tinctured with the idea of what an agreeable situation they might be placed in if we had followed their advice. As to the income tax I need say nothing, as the hon. Member opposite accepts our proposal with respect to it, and it is the only thing we have done which is not apparently, in his opinion, wrong. We have relieved the richer portion of the community from the payment of £1,750,000, and in the justice and expediency of that proposal he cordially agrees; in fact, he swallows it, without making any wry face at all. But we have been wrong, he thinks, in the mode in which we propose to deal with the sugar duties. To that he raises every possible objection. I do not see, however, when we take into account that medical men pronounce sugar to be one of the most nutritious and wholesome of the articles of food, he should entertain these objections. The hon. Member was perfectly right in the statement which he made as to what I said in 1870 with regard to sugar. I made that statement perfectly *bonâ fide* at the time, but I am not the only person connected with sugar who has seen reason to alter his views with respect to it. In 1870, many gentlemen of the greatest intelligence engaged in the trade, and whose lives had been spent in it, were of opinion that refining in bond would be ruinous. Now, however, they have become so much impressed with the failure of the present scale of duties and all the concomitant difficulties of the subject, which I explained in introducing the Budget, that they have come to the conclusion that it would be far better to have recourse to refining in bond, which they at one time were so unanimous in denouncing. Something of the same kind of revolution has occurred in my mind. I have looked at the question in the most careful manner, and I am of opinion that the complexity and difficulty of the present mode of taxing sugar are almost intolerable. Looking at the question as a matter of financial ethics, I doubt whether any Government ought to impose any duty on a system so complicated as that under which the duties on sugar are collected. Having to deal, then, with a subject of this kind, was I from a childish wish to be considered consistent, or from the fear of being laughed at, to be prevented from taking a course which I deemed to be for the good of the trade and the good of the country? Why, I should be unworthy to hold the office which I have the honour to occupy, if I could be influenced for a single moment by any such motives. In the course which we propose we do not, it is true, get rid of the theoretical difficulty, but it sinks into insignificance on account of its practical smallness. I have therefore come to the conclusion that the change which we ask the House to sanction is beneficial to the community. But then hon. Gentlemen say—

"That is all very well, but the remission will do no good; for as sugar will not be any cheaper in consequence of your remission, no more will be used." Now, that is precisely the language which was used in 1870, and no doubt many hon. Gentlemen believe it is so. But, there is no subject on which there are so many lies told as there are about sugar. It is said that it is an article on which the grocers make no profit, while others contend that whatever you take off, the duty goes into the pocket of the seller or manufacturer, and that the consumer gets nothing. Well, what happened in 1870? We then took off half the sugar duties. Since then the increase in the consumption of raw sugar and the revenue derived from it has been 17 per cent; while on refined sugar, the article mainly used, the increase has been 47 per cent; and I ask the House now to pursue the same course, confident that it will be followed by similar results. I will not follow the question of sugar any further, especially as the hon. Member's Resolution is couched in abstract terms and does not mention sugar, but speaks of indirect taxation. Whether the hon. Member felt some compunction in bringing before the House a point which involved the letting the people have their sugar a little cheaper, or whether he thought it more befitting this momentous debate to refer to it under the head of indirect taxation, I, of course, cannot tell, and I shall not trouble the House at any great length about the matter. This, then, is our Budget, and it is evident you cannot omit sugar from it, and leave the rest. If you make the omission, you destroy the principle on which it is based, and the whole edifice falls to the ground, and will have to be re-constructed anew either by its own architect, or by some other architect on the other side of the House. I will now proceed to another part of the subject, and that is, as to the effect of the Motion. The hon. Member does not appear to be aware of the full force of the missile which he would launch; or, if aware of it, I can hardly think his advisers would have counselled him to expend it on the Budget. This Motion is not merely a refusal to enter into the question of indirect taxation—it is not merely a blow levelled at the Budget—but it is a Vote of Censure on the Government; for, if agreed to, it is as much as to say that the House refuses to trust us any further with the management of the Business of the country, but that it requires us before going further to give them our views with regard to the maintenance and adjustment of direct taxation. They call on us, as persons suspected, to give an account of our principles and conduct. It is impossible to conceive a more decided, a more flaming insult to a Government than is contained in such a proposal—and we will meet it in that sense. I do not blame the hon. Member in the slightest degree for the course which he has thought it right to adopt, but I should have wished him to consider a little more what must be the necessary result of carrying his Motion. We have had of late a little experience in such matters. Does the hon. Member wish to see that which happened a few weeks ago played over again? Perhaps hon. Gentlemen opposite who support the hon. Member will tell us what view of the case they take should the Motion be successful; and what proposal they will be prepared to offer for the consideration of the House? Are we to have another instance of splendid abnegation? Are we to have another fortnight employed in walking backward and forward, and coming to a conclusion which everybody foresaw before the thing happened? It seems to me that in the former case they might say—"Like rebellion, it lay in their way and they fell into it." But, now, it is no action of ours that brings on this crisis; this is an entirely spontaneous Motion of the hon. Member for Westminster on their behalf, and therefore, in the fewest possible words, I say we have brought forward a Budget of which I take the liberty of saying in passing—although some people have been good enough to say it is not my Budget—it is my Budget not only technically but actually; it is not only my Budget, but I am proud of it, and I mean to stand by it. We have brought forward this Budget, which I think is generally, and I will say deservedly popular, and the answer which the hon. Member makes to us is this Resolution, which is nothing less than a Vote of Censure. I should like to know, and I suppose my wish will be gratified, in the course of the debate, what hon. Gentlemen opposite will do if this Vote of Censure is carried? That, however, is a subject so painful that I will not anticipate it; but I will go a little further, for I have not yet done justice to the Budget. I must request the House to observe how carefully the Motion of the hon. Member is worded—

> "That before deciding on the further reduction of indirect taxation, it is desirable that the House should be put in possession of the views of the Government with reference to the maintenance and the adjustment of direct taxation, both imperial and local."

Well, Sir, that means that, of course, the House should refuse to deal with indirect taxation till it is put in possession of our views with regard to direct taxation, Imperial and local. When it is put in possession of our views, what then will it do? Suppose our views are not satisfactory, will it then go on with the reduction of indirect taxation? Clearly not. For it can only be if our views are satisfactory that the House is to proceed with the further reduction of indirect taxation. If our views are unsatisfactory, the House is not to proceed in that direction. Therefore, I do no violence to the Resolution when I state its effect to be this—that they will not even take into consideration the question of the reduction of indirect taxation until not only we state our views, but until they are satisfied with our views with regard to direct taxation, Imperial and local. Then we must go a step further yet. What would satisfy the hon. Member? I have stated the views of the Government, and, as I have said, there is nothing new in them—nothing which was not known before, it is quite clear these views will not satisfy the hon. Member or hon. Gentlemen opposite. It is quite manifest from the wording of his Resolution, and from his whole tone and manner that this is what would satisfy both him and them. In the first place he and they would have a penny off the income tax, but without any reduction of indirect taxation with which we accompanied it. They have accepted that, and they stick by it. Then they must "have our views on indirect taxation"—what does that mean? It is quite manifest that taken in connection with the whole of the Resolution, it means there must be a declaration from us that there is a chance of a further reduction of direct taxation. The effect of that would be to strike out of the revenue a large sum of money now paid mainly by the rich; and that done, they say they must have "local taxation considered." They will insist, as a condition of allowing us to proceed with our Budget at all that they will not only have a penny off the income tax given them, not only will they have some promise of remission of direct taxation given, but over and above this—out of the revenue so manipulated — that is a revenue in which the contributions made to it by the poor remaining the same, while the contributions made to it by the rich are considerably diminished —out of that revenue they will have a large contribution for the relief of the land in the case of local taxation. And it is only after this treble tax they are prepared to levy on the poor that they will consent to take into consideration for a single moment the propriety of repealing any indirect taxation whatever which really falls on the poor. That is the position which the hon. Member and those acting with him take up. They ask for a treble remission of taxation for the rich. First a penny off the income tax; second, the remission of some other direct taxation, for which we are absolutely to engage before they will allow us to get at indirect taxation; and, finally, they take out of the revenue thus manipulated a large sum of money to compensate for the local rates. I hope that will be understood both in Parliament and out-of-doors. I say that it is a proposal which is in the highest degree unequal and unjust. I say it is reversing the policy of Robin Hood, and stripping the poor to feed the rich. I say that any Government belonging to the party which I have the honour to obey, which would consent to entertain such a scheme, or to touch it with the tip of their little finger, would be disgraced. Such a policy would keep the sugar trade hanging between heaven and earth, with trade utterly paralyzed waiting till the whole battle had been fought out for local taxation. I have said that this Motion will be injurious to the interests of the poor and to the interests of trade; but, I further say, such a measure is not only unjust, but unwise and dangerous, for these are not days when we can afford to give just cause for discontent to the working classes. More than that, remember what we were told the other day—that Dissenters had lost their power in England because hon. Gentlemen opposite had placed power in democratic hands. What is the meaning of that? Do hon. Gentlemen opposite suppose that, having put power into the hands of the lower classes, they will tamely submit to see taxation modified against the poor and in favour of the rich? What is their view of the character of the poor? Do they consider that the poor are saints, or that they are idiots?

> "Beasts that lacked discourse of reason."

If the poor do not see these things which are so palpably plain, they are absolutely devoid of common sense; but if, on the other hand, they do see them, and, seeing them, they give their support to those who make such a proposition, why they must have the most extraordinary self-denial and the most wonderful patience of any people on the face of the earth. This, however, I would say, let hon. Gentlemen opposite beware lest in digging a pit for us they fall into it themselves. It was not for this that we have been endeavouring to economize the public money. Our efforts were directed to another object. We wished the rich to remain in possession of their riches, and that there should be no heart-burning in the country; but we wished also that justice should be done to the poor; and miserable indeed it would be to reflect after laboriously economizing the public revenue, that it was to come to this at last. I have no right to presume to offer advice to hon. Gentlemen opposite. They know their own game; but if I might suggest what I think would be a more prudent course than that they are taking, I would say they would do wisely to give up this Resolution, crossed by all the elements I have pointed out—they will accept the Committee, and wait for the introduction of the Bills which my right hon. Friend will bring in almost immediately. In doing that I trust they will wisely assist us with their local knowledge and experience in endeavouring to get rid of the numerous defects which now deform and mystify the whole question of local taxation; and when all that has been done, if they find that we or any Government that may be in power are not willing to redeem their pledges which have undoubtedly been given on the subject, let them bring forward any Vote of Condemnation which they may think proper. At present, the whole movement is entirely premature, and the grievance, if any such exists, not worthy of a moment's consideration.

Sir STAFFORD NORTHCOTE: It is, Sir, one of the principal functions that appertain to your high office to address Her Majesty in the name of this House, and pray that Her Majesty will grant to the House free liberty of speech. I am not at all sure it may not be necessary, after the oration to which we have just listened from the right hon. Gentleman the Chancellor of the Exchequer, that we, the independent Members of the House, and especially those who have the misfortune to sit on this side, should apply to you to make a similar request of Her Majesty's Government, that we may have accorded to us that liberty of speech which has been granted to the House generally, for after the language which the right hon. Gentleman has indulged in, it must be with a feeling of great hesitation that anybody could possibly rise on this side of the House to criticize any measure whatever that Her Majesty's Ministers may bring forward. My hon. Friend the Member for Westminster (Mr. W. H. Smith) complains that Her Majesty's Government have not favoured us with all the explanations that we think should have been given of the views of the Government with reference to the important question of direct taxation; but after what we have heard from the right hon. Gentleman he must see that he is entirely wrong in making such a complaint. My hon. Friend ought to express gratitude to the Government for giving any explanation at all, for it would seem as if all they had to do, is to tell us what they choose to propose and what measures must be adopted, and if we refuse to accept them we must take the consequences. Now, the Chancellor of the Exchequer made use of an expression which goes rather beyond the ordinary latitude of Parliamentary language when he said that this article of sugar had been the subject of more "lies" than any other he was acquainted with. I am not fond of that word, and I think it would have been better if he had described the fallacies as "imaginative statements." But if there be "imaginative statements" with respect to this article, I am bound to say a more coloured "imaginative statement" than that which the right hon. Gentleman made when he endeavoured to represent the Motion submitted by my hon. Friend as a Motion intended to take taxes off the rich and to leave them on the poor I never heard, and I give the most direct and flat contradiction to that reflection on my hon. Friend's Motion. I will undertake to say that that can be neither the meaning of my hon. Friend's Motion, nor the inference which can in justice be drawn from it. What is the real position of the question?. The right hon. Gentleman the Chancellor of the Exchequer says that the matter is broader and more important than my hon. Friend chooses to describe it, and that we are raising an important question of principle. Let us see what that question is, because the right hon. Gentleman has entirely misapprehended, or, if he has not misapprehended, he has entirely misstated it. With regard to Financial Statements, undoubtedly it is in many cases sufficient for a Chancellor of the Exchequer very briefly to lay down the proposals which he has to make with respect to the income and expenditure of the coming year. But from time to time conjunctures arise when it is important, and when it has been usual, for Finance Ministers to enter somewhat more fully into the principles of our Financial System, and to invite the House and the country to proceed in the regulation of the finances upon the principles which he lays down. Now, one of the most important of these conjunctures occurred in 1842, when Sir Robert Peel for the first time proposed the income tax with a view to improve and reform our system of indirect taxation. Sir Robert Peel found our system of indirect taxation in a most hopeless situation, and that in consequence of the condition of the revenue being derived mainly from that source, the country was anything but prosperous, and we were continually met by deficits and financial embarrassments. Sir Robert Peel introduced his great measure in 1842 with this view. He said, "I will lay on for a time a tax on income to enable me to reform the system of indirect taxation, and improve the finances of the country." It was a strictly temporary measure which was then proposed. His policy, however, was successful, more successful than he anticipated, and he carried it further than he originally intended, and the consequence was, that he renewed the income tax for the purpose of making further reforms, and that tax continued a portion of our system during the whole of Sir Robert Peel's administration. After his administration it changed to some extent its character, and it came to be regarded not so much a temporary as a permanent element in our system of taxation; and when it came to be so regarded, complaints were made as to its incidence, and proposals for its readjustment. When, in 1853, the present Prime Minister, as Chancellor of the Exchequer, took up this question, he dealt with it in one of the greatest, perhaps the greatest, of all his financial speeches; and what was the general character of what he said? Having explained the footing on which Sir Robert Peel had placed the income tax, he showed by arguments which had never been answered, that it was incapable of being re-modelled. He admitted that it was a tax rather fitted for a temporary purpose than for a permanent source of revenue, and he proposed a measure which was to carry out certain reforms, and then to put an end to the tax. I will not go into the details of the circumstances which prevented the execution of that great design; but in 1860, when it should have been carried into effect, the right hon. Gentleman found himself unable, in consequence, to some extent, of circumstances over which he had no control, to give effect to the policy of 1853—that is, complete effect, for he moved still on the same lines, and he looked to the ultimate, if not the early extinction of the income tax. But at the time the right hon. Gentleman was tempted by the Treaty of France —which was then in its cradle, and is now, I am afraid, on its bier—to give up the idea he had formed of asking the House to remodel the tax, and he was compelled to ask an increase of its amount, in consequence of having to go further than was contemplated in reducing indirect taxation. The result was, that from that time to this the income tax has remained on a sort of Mahomet's-coffin-footing, suspended between the idea of being a permanent portion of our financial system, and a temporary tax, some day or other to be removed. Now, what we want to know is, what is the view which the Government takes of the character of the tax? Is it to be considered as part of our permanent system, or is it to be shortly removed? The right hon. Gentleman will naturally say—"That is a very interesting question, but why have you not asked it any time these last 10 years or more?" The tax, no doubt, for the last 10 years or more has been looked upon as one not likely to be got rid of; but there are two or three circumstances which induce us now to put that question to Her Majesty's Government. The first of them is this—The progress of the prosperity of the country and of the revenue has been so great that now people are beginning to say that it would not be such a wild idea to attempt to get rid of the income tax altogether in a reasonably short time as a few years ago it appeared to be. The consequence is, that a considerable agitation has sprung up in the country which cannot be disregarded, which may have very serious and mischievous results, and which seems to demand some statement on the part of Her Majesty's Government. What is the nature of that agitation? I think we can see pretty well how it arose. We find some town-councillor of an intelligent turn of mind who has been reading in the newspapers the report of some speech by the Prime Minister as to the prosperity of the country, which is advancing "by leaps and bounds." Then he has been reading a Budget Speech by the Chancellor of the Exchequer, in which he complains that his balances are inconveniently large, and that money is tumbling in upon him at such a rate that he has to appeal to the Chairman of Committees to know what he is to do with it. Then comes the right hon. Gentleman the Member for Pontefract (Mr. Childers), who says that the expenses of the country are cut down in the most marvellous manner. Well, the intelligent town-councillor reads all this, and he goes home with a glow of satisfaction at the thought that we have a Government which is dealing in this extraordinarily successful manner with the finances of the country. But what is the first thing he falls in with at home? It is a notice paper from the tax-gatherer that he has been surcharged upon his income tax. He is surprised that he should have been so surcharged, but he thinks there must have been some mistake. He goes out, and he meets a friend who is in great indignation because he also has been surcharged. It is here surcharge, there surcharge, and everywhere surcharge. The consequence is, that people get indignant; they hold meetings in order to get up memorials and representations against the income tax. But that is, perhaps, a matter of comparatively little consequence. But see by how much more important persons this movement is taken up. My hon. Friend the Member for Westminster referred very properly to the great meeting held in the beginning of this year, before Parliament assembled, at the Mansion House, under the presidency of the magistrate of the first City of the Empire. That meeting was of the greatest possible importance. It was attended—not only by persons of consequence belonging to the City, but by 18 or 20 Members of Parliament, the majority of them being of the Liberal party, and among them men of a position which enabled them to speak with authority on the subject. Reference has been made to the right hon. Member for Tiverton (Mr. Massey), who moved the first Resolution. Well, what is the position of the right hon. Member for Tiverton? He for many years sat in this House, he has known the course of legislation, he has sat in that Chair, he has listened to, and presided over, many of the most important financial debates, he has held the great position of Financial Minister in India, he has made himself master of this question, and he comes forward voluntarily at a meeting at the Mansion House, at a meeting in the City of London with which he has no connection in the world, and moves the first resolution. Well, that certainly challenges attention, because the right hon. Gentleman is not a man likely to get up and make rash statements and hasty speeches. On such a subject he would speak, and he did speak, with authority, moderation, and deliberation. Well, let us see what the right hon. Gentleman said, because he states the case in a way that deserves the attention of the Government. The right hon. Gentleman moved a resolution to the effect that the income tax was inquisitorial in its character, unjust and unsatisfactory in its operation, and demoralizing to the national character. He added that it was quite unnecessary for him to deal with the several points of the proposition that the only solid argument that had ever been urged in favour of the tax was the necessity of providing for some overpowering emergency, that no such emergency now existed, and that if ever there was a fitting time for demanding the repeal of the tax, the present was that time. The right hon. Gentleman urged the meeting to express their opinion in terms that the Ministry could understand, and assured them that they must not expect any time in the future more favourable for their purpose. These are sentiments which are strongly, but not intemperately expressed. They are urged in the spirit not of a heated and ignorant orator, but in the spirit of a responsible Member of Parliament who has been in office and may be in office again; they are urged with care and deliberation, and when the country hears such statements as those put forth at great meetings by such authority, it is not unnatural that the country should be excited on the subject. The Government, moreover, must feel that it is not desirable uncertainty should prevail as regards their intentions in this matter. If it should not be the intention of the Government to repeal the income tax, they should put a stop to these agitations by a plain assurance that they think the income tax to be a permanent portion of the taxation of the country. The Government, however, not only does not do this, but, as we have been reminded, the Prime Minister held language a few days ago to a deputation clearly of a character which would lead people to understand that he did not look upon the abolition of the income tax as anything out of the question. I should like to ask the right hon. Gentleman whether he was correctly reported in the newspapers, which represent him as having said—

> "With regard to the reduction of the tax, whatever tended to bring it down must bring it more nearly within the discretion of Parliament. He could not say they would he prepared to take up at once the consideration of the claims of the income tax for reduction from time to time with a view to its repeal."

If that language be correct, and the right hon. Gentleman does not challenge it, what possible inference can be drawn from it than that there are reasonable grounds for expecting the ultimate extinction of the income tax? If it be not so, what is the fact? If the House will consider the effect of keeping the income tax at command as a sort of make-weight, it will at once see the great importance of this question. If the income tax is to be moved up and down as a sort of balancing entry in the Budget, a very little reflection will show that a great deal more is involved in this question than the mere question of taking taxes off one article and putting them on another; and I maintain, and would urge upon the House, that it is important to determine whether we consider the income tax as a means of providing money for an emergency or to carry out reforms, or whether we regard it as a permanent engine of taxation. If we maintain it as a permanent engine of taxation, we are tempted to spend whatever it is pleasant to spend, and to take off whatever it is pleasant to take off. The income tax is always at command to be raised to 4*d.* or 6*d.* as occasion requires, and you have not that pressure put upon you to study economy as you would otherwise have. You may, in fact, go as far as you please in any direction which is pleasant, because you would always be able to set the matter right by shifting the income tax. By adopting this rule you have in the past been tolerably free in admitting new items of expenditure, and very liberal in striking off taxes; but the consequence has been that a number of sources of revenue have been brought down to a dangerously low ebb. The Chancellor of the Exchequer told us the other day that he expected to derive no less than £19,000,000 of revenue this year from spirits alone. Does the House see what is involved in that statement? £19,000,000 out of a revenue of £73,000,000, or more than one-fourth of the entire revenue of the country, is to be raised from spirits alone. That will not only suggest many reflections of a painful, but some also of an alarming character. If you are trusting to the income tax to set you right, and continue to cut off one source of revenue after another, you will some day find yourself with a demand you are unable to meet. The Chancellor of the Exchequer says, of course you will have to fall back on the income tax as the matter stands at present. [The CHANCELLOR of the EXCHEQUER: I never said so]. I am pointing out that the House will have to fall back upon the income tax. If the right hon. Gentleman would listen, instead of engaging in conversation, these mistakes would not be made. Let us look at the reasons offered by the right hon. Gentleman for the reduction which he proposes in the sugar duties. He has discovered in the fifth year of his period of office that the complications of the system of the sugar duties are quite intolerable, and that it should be a point in financial ethics to get rid of them. The right hon. Gentleman must excuse us, if we say there are other people who might be allowed to enlarge upon the complications of the income tax, and if we may be allowed to measure financial ethics on the one side against financial ethics on the other, I am not at all sure that the moral philosopher would not give a preference to striking off the income tax. But that is not the main reason which has influenced the right hon. Gentleman. He has told us also that the sugar duties form a tax upon the food of the people. Strictly speaking, however, sugar connot be described as the food of the poor; it has been demonstrated, in an interesting work on the subject, that the consumption of sugar by the upper and middle classes is much higher in proportion to the consumption by the lower classes than is the case with many other articles. Sugar, however, is a very important article of the food of the people, and, therefore, enters largely into the food of the poor; but if we are to go on this new principle of remitting an equal amount of direct and indirect taxation, looking out for taxes on the food of the people and reducing them, to what extent is this principle to be extended? Are you to go on reducing the duties upon sugar, tea, and coffee until we reach a point at which it will be better to abolish them altogether? If so, can you in justice refuse to do the same for another article which also enters largely into the consumption of the people—I mean malt? Malt may not be among the food of the people, but it enters more largely into the consumption of the people than sugar. Surely, whatever our charitable feelings may be, we must consider the financial result of these reductions. We have often been told that Sir Robert Peel's remissions have given great relief to the people, and at the same time have involved no loss to the revenue, because of the increased consumption. From the observations made by the right hon. Gentleman to-night, you will think he intended to create the same inference with regard to sugar for he points out that when the duty was reduced, consumption was largely increased. But largely as the consumption may have increased, sugar does not yield the amount of revenue which it formerly produced. In Sir Robert Peel's time the duty was 24*s.* a cwt., and the revenue £5,000,000. The duty is now 4*s.* a cwt. and the revenue has fallen to between £3,000,000 and £3,500,000, with a great increase of population, and an enormous increase in the consumption of sugar per head of the population—namely, from 19lbs. to between 40lbs. and 42lbs. per head. If, therefore, you reduce, and still more if you take off, these taxes, how are you going to make up the deficiency? The popular answer is—"You must tax the wealth of the country;" and apparently the right hon. Gentleman thinks that by the income tax he is taxing the wealth of the country. Now, in whose hands is this wealth? A curious and interesting estimate has been made by Professor Leone Levi that of the total annual income of the country £500,000,000 is in the possession of the upper and middle classes, and £400,000,000 a-year is in the hands of the working classes. That is a rough estimate, but it indicates an enormous amount of wealth in the hands of the working classes, who do not pay income tax. How is that wealth to be got at? You cannot tax it directly. You tax it indirectly, by taxes upon articles of consumption, which fall not upon the poor exclusively, but upon poor and rich together. You tax it not by a system which applies a grinding and inevitable pressure to every man, whatever his circumstances. You lay your taxes upon articles which he may, if he chooses, deny himself, and upon which he need not pay any contribution to the State at all, and you really leave it to him to pay much or little towards the national revenue at his option. Now, as Professor Leone Levi points out, taxation falls tolerably fairly upon both classes; that is to say, out of a total taxation of £90,000,000, £60,000,000 is paid by the upper and £30,000,000 by the lower classes. [The Chancellor of the Exchequer: But the one pays out of his abundance; the other out of his necessities]. Let us see how that is. The man who pays out of his necessities—that, is, as I suppose, the working man—pays 79 per cent of what he is taxed upon luxuries, 17 per cent upon necessaries, and only pays 4 per cent of taxes which he cannot escape. I call taxes upon luxuries taxes upon spirits, malt, wine, and tobacco. I call taxes on necessaries taxes on sugar, tea, coffee, and some other articles. The question is an important one. It is not raised in the most convenient way, but that we cannot help. It would have been more convenient had the Government come to us and said — "These questions concerning the income tax and local taxation raise a difficult problem as to the proper mode of adjusting taxation. We will, therefore, give you the facts and apply the principle to the facts, producing our plan of taxation." Instead of doing so, the Government simply call upon the House to vote upon two propositions, without observing what the acceptance of these propositions involves, except that the Chancellor of the Exchequer now says—"They involve terrible consequences to the Budget and the Ministry;" they do not, however, show what effect they will have on the financial system of the country. Meanwhile, the Government throw upon those who venture to differ from them the awkward task of calling for explanations, and pointing out difficulties when we are not able and should not be justified in proposing any plan to meet them. "Are you prepared with a plan?" asks the Chancellor of the Exchequer. My answer is, that it is not our duty to prepare any plan, nor would it be right to do so; because the question which would be raised in such a contingency as the possible abolition of the income tax would be of the gravest, the most complicated and delicate nature, and it would be impossible, as well as wrong, for the Opposition to say what they would do under such circumstances. On that point I wish to guard myself, for it may be supposed, and perhaps not unnaturally, from what I have been saying, that I am advocating the abolition of the income tax. Sir, I am not advocating its abolition; I express no opinion upon that question; I say it is a point on which there is a great deal to be said on one side, and a great deal to be considered on the other; for if you did away with the income tax your whole system of finance would be altered, and you must, of course, redress the balance between direct and indirect taxation. All these are questions of the gravest character, and I am not attempting to express any opinion upon them; I am merely pointing out the danger of allowing this matter to go on as it is now going on. Here, however, are men legitimately encouraged to believe that the question is open for consideration, and that the Government do not desire to preclude discussion. Accordingly, they address their constituents and address public meetings, making pledges, and saying—"Let us get rid of the income tax." Are these Gentlemen, then, blindly to support in this House propositions which will, in fact, render the abolition of the income tax almost impossible. It may be right to give up the idea of abolishing the income tax; but if so, let us have our financial system re-constructed accordingly. Do not lead us to take steps in the dark. As regards local taxation, the matter is in some respects graver, because you have on record not only speeches to constituents and answers to deputations, but solemn votes of this House passed by overwhelming majorities. You have also measures proposed by the Government to which they have told you quite recently they adhere, and yet in the same breath they say you must vote for proposals which, as the Prime Minister declared in his letter to the Chairman of the Metropolitan Board, if adopted by the House of Commons would put it out of their power to give relief in the matter of local taxation. [Mr. GLADSTONE: During the year.] They ask you to wait till Thursday for their measure, but meanwhile you are to empty your pockets, which is like inviting you to attend a charity sermon, and to leave your purse at home. If the House should re-affirm the Resolution of last year, the Government have their answer ready—"We admit you are quite right in asking for this concession, but we have got rid of our surplus; we have nothing to give; and what is more, you have agreed to the financial proposals which have brought about this result." In his letter to the Chairman of the Metropolitan Board, the Prime Minister says that "if the House should sanction the principal provisions of the Budget, we shall not be able to do anything." Now, "there is much virtue in an 'if.'" What you are really told is that you have no latitude or liberty; and in that case what we are now doing is a mere formality, and these discussions might as well be put an end to. If those who have the same opinions on these subjects differ from the views entertained by Her Majesty's Government, and if that divergence of opinion is not only between the Government and hon. Gentlemen on this side of the House, but between the Government and a large number of those hon. Gentlemen who usually sit behind them—if there is a divergence of opinion such as was expressed by the vote of last year, then I say the House has a right to demand the fullest explanations before it allows itself to be concluded with reference to taxes. My hon. Friend the Member for Westminster, who has so many things upon his mind that he has probably not given so much attention to our financial system as the Chancellor of the Exchequer has, fell into an error undoubtedly with regard to the effect of the arrangements that are now proposed upon the finances for next year. Of course, we know that the £3,200,000 will be paid out of the revenue of this year, that if the revenue be insufficient to pay the whole of the £3,200,000, the Chancellor of the Exchequer can issue Exchequer Bonds to meet the deficiency upon the finances of the year, and that deficiency will be met as other deficiencies have been met, out of the balances—that is to say, the balances will probably be diverted from going to the reduction of the National Debt. But if the provision which the Chancellor of the Exchequer makes *ex abundante cautela*, with regard to Exchequer Bonds be required, and if those Bonds have to be provided out of the Ways and Means of next year, then of course my hon. Friend is right. But I do not think anybody believes that will be the case; and if that should not be the case, then there will be a very considerable fund in your hands next year, provided all things go well. It would then, no doubt, be possible either to deal with local taxation or, if desirable, to make a further reduction in the income tax. I may be asked—"Why, then, could not you leave things alone till you come to next year?" Well, if the Government had taken the plan which I confess for a long time I expected they would have taken—if they had said—"We will pay the whole of the Alabama Indemnity out of the revenue of this year, and we will then come to the House and say local taxation is a very difficult and complicated question; we are not prepared to deal with it at present until further inquiries are made; we are going to propose measures for making further inquiries; and we therefore ask you to hold your hands with regard to any other financial measure until we know what we shall do with regard to local taxation," I think they would have had a very strong case. But when they come forward and say—"We ask you now, while the matter is *sub judice*"—it is hardly *sub judice* yet—"to consent to a remission of taxation very large in itself, and which is proposed on a principle which must lead to very much greater indirect taxation," they are asking what is unreasonable. I have very few words more to say, but they are important, because I feel it necessary to refer to some observations made by the Chancellor of the Exchequer last year. The right hon. Gentleman says that if you take off the sugar duty you benefit the poor. I have pointed out that a very large amount of the wealth of the country must escape taxation if it is not taxed indirectly. I have pointed out that a great portion of that wealth is consumed in a costly expenditure upon luxuries—upon malt, spirits, and tobacco. I have further pointed out that if you make any great reduction in the revenue which you derive from that source you must make it up from some other source, and I presume that source is to be what is called the wealth of the country. Well, I say the line which divides the income tax payers from the rest of the country is by no means a line identical with the line which divides the wealth of the country from the poverty of the country. I say that among those who are payers of income tax, there is as much poverty and as much suffering as you could find among the working classes. Well, that is a bold statement to make, but I have high authority for what I am saying. I am going to quote in proof of it some observations made by the Chancellor of the Exchequer himself. He told us in March last year—

> "There is no class of the community who are so severely pinched by taxation as the lower class of income tax payers. Everything seems to hit them. They pay income tax, they pay house tax, and their principal consumption is the consumption of articles on which taxes are and still will be retained. Their tea, their coffee, their sugar, their spirits, their beer, all contribute to the taxes; and then they are

heavily amerced in taxation in the shape of local rates. I do not think that any class pay so much as the poorer part of the income tax payers."—[3 *Hansard*, ccx. 624.]

The right hon. Gentleman, I suppose, will tell us that he is going to benefit this unfortunate class of the community by reducing the duty on their sugar. Well, I do not dispute that a reduction of the duty on sugar will be of some benefit to these persons. I do not at all join in the cry that when you take the duty off any article you do no good to the people who consume the article. I am perfectly willing to admit that the reduction of a farthing in a pound will be of some benefit, and of greater benefit, perhaps, than the amount of a farthing to the consumers of sugar. But will the right hon. Gentleman or will the House look at the matter in that way? If you take off taxation and reduce the revenue on one hand you must make it up on another. Let us assume, for the sake of argument, that we strike off the whole amount of the sugar duty instead of a half—that would be about £3,500,000. If you lose £3,500,000 in that way you must lay 2*d.* on the income tax, which would represent exactly the same amount. Now, will the House consider for a moment what would be the relative advantage to a member of this unfortunate class, to which the Chancellor of the Exchequer solicits our attention and our sympathy, of taking off not the half but the whole of the sugar duty, or of taking 2*d.* off his income tax, which is the same thing to the revenue. Suppose a family of five persons which pays tax on an income of £240. These persons come strictly within the category which the right hon. Gentleman presented to the House. The extent to which they would be benefited by a total remission of the sugar duty would be 8*s.* per annum; but if 2*d.* were added to the tax which this family pays on income, that addition would amount to 40*s.* per annum. Does the House think they will not see the difference, and fondly imagine that the reduction of a farthing per lb. on sugar will compensate them for the retention of a penny in the pound on the income tax? These are considerations which apply, I think, to the position in which we stand. In conclusion, I must say that we do not attempt to lay down any canon, or to propose any counter-policy to the policy of Her Majesty's Government; we say that we are perfectly right in demanding from them a full and explicit statement of their views, and the principles on which they propose that these financial matters should be regulated for the future, and that it is injurious to the interests of the country that this sort of agitation which is going on against the income tax should continue. One advantage, however, we derive from this discussion is, that we at all events, or those who may vote with us, may free ourselves from becoming the accomplices, before the fact, of the *non possumus* plea which I suppose will be put in on Thursday.

Mr. W. M. TORRENS said, that as one of the Members who last year voted with the hon. Baronet the Member for South Devon (Sir Massey Lopes), he wished to state the reasons why he thought the hon. Member for Westminster (Mr. W. H. Smith) should be content with having raised that discussion, and why he would not strengthen his case, if he went to a Division. For his own part, he should give his support to any proposal for revising the incidence of local taxation, independently of the consideration whether the Chancellor of the Exchequer for the time being had a surplus or a deficiency to deal with, for it was an undoubted fact that Imperial charges were laid upon what were called rates, and the time had arrived when the House was bound to lend its ear to the claim of justice on behalf of the lower middle classes, upon whom those burdens pressed with undue weight. It had been truly said by the right hon. Gentleman who had just sat down that no persons suffered so severely as those who formed the class which lay between the wage-earning class and the wealthy class—namely, curates, clerks, surgeons, small shopkeepers, and small farmers, and if ever there was a time when it was the duty of Parliament to apply itself to the consideration of the exigencies of that class, it was the present. It had been stated over and over again that the country was in a highly prosperous condition. To a great extent that was true, but it was the prosperity of the country that was prosperous. The rich were getting richer, and the wage-earning classes exacted better terms for themselves by the means of trades unions. Large fortunes were being made with astounding rapidity; and speculation, whether legitimate or gambling, never yielded so quick a harvest as at present. But in that prosperity the lower middle classes had no part. The price of meat, of fuel, and of house rent had largely increased, and there appeared no chance of its being reduced to its former level; and the consequence was that persons in the lower middle classes found it almost impossible to clothe and educate their children and to bring them up in decency. That was a good reason why an unjust and popularity-hunting system of finance should not be forced upon the country. The Corn Laws were repealed not in order to enable manufacturers to make cent per cent on their money, but because it was believed that the best way to relieve the lower middle classes, who were suffering severely at the time, would be to make bread cheap; and it was now the duty of the Government to throw upon the Imperial Revenue burdens which were in too large a degree borne by the classes to which he referred. He had heard, not with surprise—because the right hon. Gentleman the Chancellor of the Exchequer had lost the faculty of surprising anybody, but with admiration, although mingled with regret for his use of that unspeakable maxim of oratory—*l'audace, l'audace, et toujours l'audace.* He had heard that right hon. Gentleman state that those who sought to revise local taxation were endeavouring to exempt the property of the rich at the expense of the poor. He would ask the Chancellor of the Exchequer to condescend to facts for a few moments. What they wished to do was to procure an equality of burden; and how could they say that the burdens of local taxation were equal now, when, from the circumstance of long leases being outstanding, the largest proprietor in the borough he represented drew £90,000 a year from it, without paying a shilling to the rates in consequence of his not being subject to assessment; and when another noble Lord, the possessor of property in the borough, in which the population was of the poorest description, struggling to live, often unable to send their children to school, and being constantly threatened with executions for non-payment of the rates, drew £20,000 a-year from it, and did not contribute 6*d.* to the rates, although those rates had increased within a generation or two from 1*s.* to 2*s.* 8*d.* in the pound. Yet when he (Mr. Torrens) asked that the police rates, the rates for the administration of justice, and for the lunatic asylums, should be charged on the general taxation of the country, so that all should contribute their share—he was met with the official taunt, as a person anxious to tax the wealth of the country for the benefit of the poor. He would ask the Chancellor of the Exchequer for whose benefit chiefly gaols, penitentiaries, and the whole mechanism of justice were maintained. Was it for the benefit of the man whose domicile was of the humblest description, or that of the man who was surrounded by luxuries? On the hustings—he begged pardon, he had almost forgotten that there were such things as hustings after listening to the right hon. Gentleman's speech—such a statement as the right hon. Gentleman had made would be termed a misrepresentation, if it were not met with a more monosyllabic denial; and he had no hesitation in denouncing such a remark, calculated, though it might be, to call forth thoughtless and reckless cheers, as unfair and untrue. It was invidious and perilous in the present state of society, to discriminate, as the Chancellor of the Exchequer had done, between different classes of society, but if such a discrimination was entered upon, he (Mr. Torrens) was bound to say that it was not for the poor they maintained their system of criminal justice, but especially for the rich whom they exempted from rating. Why, it would be as absurd to rate property in Wales for the support of the Welsh Fusileers, or the rateable tenements of Fermanagh to clothe and arm the Enniskillin Dragoons, as the poor of London for the support of the constabulary of London. Police and justice were maintained for national reasons, but the charge ought to be borne by all the property of the country, instead of by £120,000,000 out of £700,000,000 or £800,000,000. In fact, he would say, without hesitation, even if he thought it would imperil his seat in that House, that it was unjust, shallow, and idle to treat that question as one of land against town. Representing an exclusively town constituency, he declared that without regard to creed, party, or class, men were unanimously of opinion that that was emphatically a townsman's question, and he had uniformly told the hon. Baronet the Member for South Devon that if he did not regard it in that light he would not vote with him. He must, in justice say the hon. Baronet agreed with him. Wishing to see last year's majority of 100 remain, he was against a Division on a side issue like the present; but it would be impossible for the Government in the long run to avoid adopting some measure for properly adjusting the incidence of taxation. He felt that it would be best to wait and see what the Ministerial plan was; but if, as he thought the First Minister intimated, it was to be framed on the same lines as the unlucky scheme of the right hon. Gentleman the First Lord of the Admiralty (Mr. Goschen) before his change of office, the fact that that scheme went down by the head before it had well cleared the port was a warning to the Government against indulging in any hope of success. The substance of that proposal was a division of the rates between the owner and the occupier. Now, rateable property was of three kinds. First, there was the property held under lease, and two-thirds of the rateable property of London was of that description, and in reference to it a question was very properly asked the Government, within 24 hours after their late measure was introduced, whether they proposed to effect their object by breaking the covenants of existing leases? That question was answered by the right hon. Gentleman (Mr. Goschen) in the negative, after, as he (Mr. Torrens) supposed, a fitting consultation with his Colleagues upon so important a problem. [Mr. Goschen said, that part of the Bill existed before he introduced it into the House, it having been founded on a decision of a Committee of the House of Commons.] Well, that made matters worse, because it thus appeared they had brought in a Bill which they knew beforehand would not have touched two-thirds of London. Next there were tenants at will, or tenants from year toyear. He would ask anyone how it was possible by Act of Parliament, when houses were very plentiful, to prevent landlords from bearing the whole burden of local taxation, or when they were scarce, to prevent tenants from bearing it? A third-class—and it was one in which he felt deeply interested—was that growing class who, out of small means, had acquired small tenements, and had thus become their own landlords. It should be the desire of the House to see the number of such persons multiplied, for they were the pith and marrow of the community, and afforded the best support to true Conservatism; but so far as they were concerned, the proposed division of the incidence of the taxation would be putting into the right hand pocket what had been taken from the left. He hoped that the Government would introduce a measure which would be one of solid, real, *bona fide* justice, and that object could only be secured by extending the area of rateable property so as to include the £600,000,000 or £700,000,000 per annum whose owners were all interested in the preservation of order. Either the incidence of local taxation should be extended to the entire income of the country, so that taxation for really Imperial purposes, should be borne by the State, instead of by local communities.

Mr. KAVANAGH said, he had listened with no small interest and pleasure to the able speech of the hon. Member for Westminster (Mr. W. H. Smith), in introducing his Motion, but it was with surprise he had listened to the words which fell from the right hon. Gentleman the Chancellor of the Exchequer in reply to it. The right hon. Gentleman's speech was devoted to raising false issues and attributing false motives to his hon. Friend; to an endeavour to set class against class; to create dissension and ill-will. It was a speech unworthy of a Cabinet Minister whose object should be to encourage peace, not to promote discord; it savoured more of an oration on the hustings, than of a speech in the House of Commons; and he supposed that it was due to the fact that that institution had passed from among them, that they had been treated to it that night. Notwithstanding the threats of the right hon. Gentleman on the possible result of the debate, he heartily supported the Motion of the hon. Member for Westminster, and he thought it was one on which that House should pronounce its opinion in no uncertain sound. In it, to him, there seemed to be involved two very grave and important issues. First, the financial one, in which the large majority of the population were materially concerned—whether any portion of the local burdens were to be defrayed by the Imperial Exchequer; and, secondly, the constitutional one, in which the interests of the whole nation were concerned — whether it was the proper policy of Her Majesty's Government to pursue, utterly to disregard and ignore the pronounced opinion of the House of Commons. The financial aspect of the question, to which he would allude first, had become inseparably associated with the name of the hon. Baronet the Member for South Devon (Sir Massey Lopes), from the zeal and ability with which he had so often brought it before the notice of that House and of the public. He would not attempt to occupy the time of the House by any retrospective reference to the history of that great question, which, as it came to be more clearly understood, was daily growing in magnitude and importance. The speech of the hon. Baronet in the debate of last Session recapitulated the dates and terms of the different Motions upon the subject, which he, from time to time, had brought before that House, and of the illusory promises by which Her Majesty's Government prevailed upon him to withdraw them. At last, however, the question was brought to a direct issue, and in April of last Session that House, by a majority of 100, passed the following Resolution:—

> "That it is expedient to remedy the injustice of imposing taxation for National objects on one description of property only, and therefore that no legislation with reference to Local Taxation will be satisfactory which does not provide, either in whole or in part, for the relief of occupiers and owners in counties and boroughs from charges imposed upon ratepayers for the administration of justice, police, and lunatics, the expenditure for such purposes being almost entirely independent of local control."

As to the general justice of the Motion which was then carried, it was hardly necessary that he should add his testimony of approval. He only regretted that the hon. Baronet should then have seen fit to admit its terms, and not to include within it the maintenance of the poor, thus endorsing the justice of the words uttered by the Leader of the House in 1850—

> "The maintenance of the poor had been recognised, not only by the dictates of political prudence, but as the fulfilment of a religious duty; and, if so, it was a duty which applied equally to all property. As a matter, therefore, of essential justice, there was nothing more clear than that it was desirable that property should be in some manner made liable for the support of the poor."—[3 *Hansard*, cviii. 1208.]

Strongly, however, as he was in favour of that extension, he felt that no good would be gained by his raising that phase of the question. There were, however, peculiar bearings in the question as regarded Ireland to which he thought it was right to call the attention of the House. Not only was that Budget framed in an apparent spirit of indifference to her interest, selecting for reduction the two items of taxation which could afford the smallest amount of relief to her; but the action of the Government for years past had been in direct opposition to the spirit of the Motion to which he had already referred. But what had been the course of legislation in Ireland. It had been to throw upon local taxation the expenses of national objects. Of late years they had to provide for the expenses of carrying out lunatic asylums, the Vaccination Act, the registration of births, deaths, and marriages—on last Tuesday that House voted £46,450 to defray that charge for England—the registration of Parliamentary voters; and, now, the expenses of carrying into effect the new Juries Bill, the results of which seemed likely to form an epoch in the legal world. Every Session Resolutions and Petitions flowed into that House from the different Boards of Guardians in Ireland, praying that a part of the salaries of their clerks and of their medical officers might be defrayed out of the Imperial Exchequer, as part of their time was occupied for national objects. Those were impositions which had passed, and it was not difficult to foresee the shadow of others yet to come. They had now before them on the Paper for the second reading that night, the new Valuation Bill, one-half the expense of which was to be borne by local taxation, although it was wholly and entirely for the benefit of the Imperial Fund. That he could easily explain to the House in a very few words. The tenement valuation which that Bill proposed to raise afforded, no doubt, a basis for levying the poor rates and county cess, which were the two principal local taxes raised in Ireland; but in those two cases, the gross sum that was required for those local purposes was determined by the requirements and irrespective of the valuation, and the necessary poundage rate was struck to levy the same; the fact of the valuation being high or low would only affect the poundage rate, not the gross sum. On the other hand the effect, as regarded the Imperial Exchequer, was very different—the higher the valuation was raised, the larger would be the gross sum which the income tax would produce. As far then as Ireland was concerned, Her Majesty's Government proposed by the Budget to take off one penny in the pound of income tax, and by the new Valuation Bill to put it, or more, on again. It was curious, if not instructive, when considering these matters, to refer to the Act of Union, 39 & 40 *Geo*. III., c. 67, and to read in the 7th Article the principles upon which the Legislature then thought it fair to base the relative proportions of the taxation in the two countries. The Article ran thus—

> "That for the space of twenty years after the Union shall take place, the contribution of Great Britain and Ireland respectively towards the expenditure of the United Kingdom in each year shall be defrayed in the proportion of fifteen parts for Great Britain and two parts to Ireland."

Although the provisions of that Article were long obsolete, and the respective conditions of the two countries, he was glad to say, far different now from what they then were, it threw a strange light upon the present policy of Her Majesty's Government. On the one hand, they had the Chancellor of the Exchequer selecting for reduction the two taxes from which Ireland would derive the smallest benefit; and, on the other, they had the Legislature, with unremitting consistency, yearly saddling on the local rates burdens and charges for national objects. It was not only of the fact that their burdens were thus increased that he complained, but that from year to year they were deluded by false hopes, by promises of remedial legislation, which, notwithstanding the opinion and judgment expressed by that House in favour of such a course, were never realized. For two consecutive years, in the Speech from the Throne, legislation on that subject had been promised. But what did the Budget show? Not only that such was never contemplated, but that if they adopted these proposals then, they precluded the possibility of any step in that direction for the year to come. Not only was all the available surplus of the present year absorbed, but a portion of the surplus of the future, which might never accrue, was mortgaged to pay a debt of the present. It was impossible to relieve the local rates without throwing a proportionate burden upon the Imperial Revenue. It might be effected in two ways, but that fact remained the same. They could either transfer from the local to the Imperial Fund some charge, or proportion of some charge, or they could hand over an item of taxation to aid in bearing the whole, or a portion of the local burden; but, unless that item of taxation was one of new creation, the result would remain the same. A precedent for that latter mode was afforded by the tax on dogs now in force in Ireland. The amount levied by that tax was allocated to the aid of the county cess, or what would be called in England the highway rate; but it was not his province, nor was it his intention, to suggest methods or schemes to carry out what, in his opinion, Her Majesty's Government were bound to do. And that brought him to the second issue involved in the Motion, and which appeared to him to be by far the more important of the two. It was this—whether it was—

> "A constitutional course for Her Majesty's Government to pursue, to ignore and disregard the expressed opinion of the House of Commons."

The Resolution of the hon. Member for South Devon, to which he had already alluded, was carried by a majority in that House early in last Session—quite early enough for them to have taken some action upon it, if they were so disposed. However, nothing was done. In the Speech from the Throne, at the commencement of the present Session, no doubt a paragraph was devoted to the subject, and a measure had been promised, but carefully deferred, till after the Budget; and when the Budget was introduced, they found that it was so framed as to preclude the possibility of local taxation being dealt with in any practical form that year. And that that was the opinion of the Prime Minister, they might gather from his letter to the Chairman of the Metropolitan Board of Works, in which he was reported to have said—

> "If the House of Commons definitely adopts the leading propositions of the Budget, it will determine its own attitude in the same sense."

If he (Mr. Kavanagh) might venture to translate the utterings of the oracle, that meant if they accepted the Budget as introduced by the Government, and which he might presume they intended we should accept, we must repudiate our Resolution of last Session, and leave the question of local taxation as it was. So much for the intention of Her Majesty's Government to carry out the expressed wishes of the House. As for the future, he must confess the prospects were not cheerful. These leading propositions of the Budget not only absorbed the surplus for the year, but mortgaged no small sum of what it was hoped would be realized next year. He might be presumptuous in offering his ideas on such a question, but he could not help cordially endorsing the opinion expressed in *The Times* of Saturday last as to the grave impolicy of attempting to fetter the financial arrangements of the future by suggested assignments of surpluses which might never accrue. He trusted that House would now, having a due regard for its own dignity, confirm its decision of last Session, and by supporting the Motion of the hon. Member for Westminster, express its unequivocal disapproval of the line of policy adopted by Her Majesty's Government.

MR. WHEELHOUSE said, it was with a feeling allied to regret, he might almost say with one of pain, that he had listened to some of the observations made by the Chancellor of the Exchequer, more especially to the statement that the beauty of the present Budget consisted in the fact of the remission of direct and indirect taxation this year balancing each other. He (Mr. Wheelhouse) must confess to the hope that such a state of things was accidental rather than premeditated. If the basis of this, or indeed any other Budget, was to be dependent, in every year, on a remission of direct and indirect taxation, in equal money parts alone, he ventured to think that such a view of financial policy was not merely erroneous in itself, but contained, perhaps, the greatest fallacy, fiscally considered, that was ever uttered from a Treasury bench. He wished it to be understood *in limine*, that if this principle were once adopted, there would and must be a wreck of all sound financial policy. In this country the lines of wealth and poverty, or even the struggle to live, were so impalpable as to make any attempt to legislate solely in that directions illusory, if not even dangerous. There were a thousand other matters which in every good system of finance must enter into the calculation, and without which any Budget must be at best but an imperfect scheme. Another fallacy against which he for one most emphatically protested, was contained in the allegation of the right hon. Gentleman, when he stated something to the effect that the Motion of the hon. Member for Westminster (Mr. W. H. Smith) was an attempt to intercept the relief intended by the Budget for the poor. In no sense of the word could any such tendency be imputed to the Motion now before them. Was the representative of a constituency such as that of Westminster, with all its thousands of working men, or that of Finsbury, with probably still more, or himself, if he might say so, as the Member for Leeds, at all likely to be unmindful, or to forget the claims of that class? Indeed, he thought it would be very difficult to superinduce any such conviction upon the mind of the House, and he, for his part, could only say that when the right hon. Gentleman suggested that the hon. Member for Westminster was by this Motion endeavouring to intercept the relief intended for the poor, nothing could be further from the actual fact. He hoped that he (Mr. Wheelhouse) might, without offence, say that he looked upon that statement as being one uttered merely *ad captandum vulgus*. He could assure the right hon. Gentleman that neither he himself nor his hon. Friend were likely to be indifferent to the claims of that class, or be parties to the taking from it of that to which it was justly entitled. He supposed that the right hon. Gentleman had not any poor in his own constituency, and, judging from his speech, he seemed to know very little or nothing about their wants and requirements. He could assure the right hon. Gentleman that if he had delivered his speech of that night before a mass meeting in the North of England, where these questions were largely discussed, and pretty clearly understood and appreciated, the ideas to which the right hon. Gentleman had given expression would have been met with the voice of something approaching to ridicule. It was upon the poor, properly so known, that the great grievance and hardship of taxation really fell. It was a matter of slight consequence comparatively, perhaps, even to Members of that House, or to the wealthy generally, whether they paid a few pounds—or, possibly, a few hundreds, more or less in taxation, but on the poor, strictly so called, whatever their station in life might be, any undue impact of that kind operated most oppressively. It was of all important consequence to the poor clerk, or to the widow with a family to support out of a small, fixed income, who were endeavouring to struggle through the world, and with but very scanty means to keep up the respectability of their position. He knew that there were many people who believed that indirect taxation was an evil, but he was free to confess that he dissented completely and entirely from any such view. He thought that every man ought to pay upon the articles he consumed, and that if a man were able to afford luxuries he might fairly expect if they were taxable to be charged upon them. Arthur Jones, the workman, who earned his £90 a-year, contributed indirectly to the revenue in respect of such taxable articles as he consumed; but beyond this it was somewhat difficult to get at him; but in the cases of Sir Arthur Jones the baronet, the merchant, the manufacturer, and the shopkeeper, not only were they called upon to pay—and did pay—on necessaries used by them, but they were taxed directly also. To the latter class it was as if the Chancellor of the Exchequer said—"I have a deficit to meet this year of a couple of millions. I have exhausted all the resources of indirect taxation at my command, it is too much trouble, or it would be dangerously unpopular just now, if I were to attempt any real revision of taxation with the view of more closely equalizing the burthen; besides, I dare not try to impose taxation in a certain form. You must remember that it was only last year or the year before that the disastrous explosion arising out of my match business very nearly brought the whole fabric crumbling about my ears; a second attempt, therefore, in the same direction is utterly out of the question; to you, and to you alone, I look for the remainder of what I want, and, as you perceive, my leverage is irresistibly strong." If he (Mr. Wheelhouse) might use the illustration, a tax so collected reminded him not a little of the days of the Border Reivers and Rob Roy, while it approximated far too closely to be pleasant to the old-fashioned levy of black mail. Local taxation might be considered especially easy from the Imperial stand-point of the Exchequer, but the truth really was that Imperial and local taxation had become so mixed up together that when they, the residents in the country, tried to deal with questions of local taxation they found themselves constantly interfered with, governed and grooved in great measure by Downing Street and Whitehall. It was well known that rules and lines were laid down for their guidance, from which local bodies were not allowed to depart. What was done, for example, in the Metropolitan districts? Every species of tax which could—reasonably or unreasonably—by possibility be placed on the revenues of the entire country was so dealt with; and the consequence was that Leeds and other large towns—in addition to their own local burthens—were compelled to bear a proportion of that which ought to be the expense of the Metropolitan district locally borne. What would be said to him, as Member for Leeds, if he came to that House asking the Government to pay the salary of the stipendiary magistrate for that borough, or to build the police courts there? He should be laughed at. Still it must be remembered that he and his people were indirectly compelled to contribute through the Imperial Treasury a proportionate part of the cost incurred by the magistracy and police of Metropolitan districts. Could there be any principle in such a system as that. And he might add that this was only one out of a large number of similar instances which it would be very easy to adduce. He had read with much pleasure the letter of the hon. and gallant Member for Kincardineshire (Sir George Balfour) which appeared in *The Times* of that morning, but while he agreed with much that the hon. Gentleman had laid down, he differed widely from the conclusions to which he had come, so much so, indeed, that he thought he might claim the vote of the hon. Member in favour of this Motion, especially since the speech of the Chancellor of the Exchequer was utterly irreconcilable with that letter. Had the Government proposed to meet the whole of the Alabama Claims this year, and to discharge them out of such surplus of revenue as they had, he for one would not have objected; but when, instead of doing so, they took off merely a fraction per pound from the sugar duties, they were doing that which he believed they had not at first intended, and which in his opinion they had far better have left alone. If they had permitted the surplus to go in reduction of the income tax, the benefit would have been felt by every class in the community, but taking off part of the sugar tax meant only, he feared, putting some thousands of pounds into the pockets of the wholesale dealer or broker in that article, and was sacrificing upwards of £1,000,000 to subserve the views of one small, though very rich interest, while scarcely one single particle of good was likely to be derived from the remission by any other person in the realm. Again, had it not been thought desirable to pay off the whole of the Alabama Claims in the first instance, then it became perfectly clear to him that it was but right that the Treasury should be asked immediately to consider the whole question of local taxation, whether it stopped the Budget or not. Young as he was in that House, he was yet old enough to remember that this would not be the first instance of a Budget having been stopped—and aye, moreover, wholly recast in his time. That which had been done once might be done again. Was no notice to be taken of the Resolution proposed by the hon. Baronet the Member for South Devon (Sir Massey Lopes), and by a large majority deliberately affirmed in that House? Were they quietly to ignore all remembrance of the determination to which the House came in regard to that vote? Surely not. Could the country care about the reduction of a duty which merely affected a single trade, and scarcely touched the general community at all? The Chancellor of the Exchequer had told them that night that he did not propose to do anything this Session; he did nothing in this direction either last Session or the Session before. But when did he propose to do anything? They were told that next year, though it was doubtful whether they might expect it, that something or other might possibly be done, and so the promise might go on *ad infinitum.* Was either the House or the country inclined any longer to lend a willing ear to these promises so continuously postponed, and would it agree to set aside a Resolution so deliberately passed? Hope deferred made the heart sick. The country was, indeed, becoming very sick of the want of such legislation; and he ventured to predict, whether the present Chancellor of the Exchequer in the early part of next year should be his "own successor" or not, as he seemed somewhat confidently to suppose, that when the General Election came the country would manifest its feeling in a manner about which there could not be the slightest mistake.

DR. BREWER said, he looked on the Budget of the Chancellor of the Exchequer with monstrous satisfaction, because, while it gave relief to the middle classes of tradesmen in the diminution of the income tax, it also gave relief to the humbler classes who depended very much on sugar for their nutriment. He referred to that very humble class who depended almost entirely upon what was called "tea;" but which consisted of only a very small infusion of that article, with a large quantity of sugar. The hon. Gentleman opposite (Mr. Wheelhouse) said it was of no use to reduce sugar by one half, as it would not benefit the consumer; but statistics clearly showed the contrary; and there was positive evidence that not only was the poor man benefited by the remission of indirect taxation, but there had been a great increase in the importation of these productions, which were now deemed necessaries of life. He regarded the Motion of the hon. Member for Westminster (Mr. W. H. Smith) as most unfortunate under the circumstances, because it brought the question of local taxation, which ought not to be made a political question, into direct antagonism with the financial scheme of the Government. At the same time he was willing to admit that since the Government had laid their hands upon local taxation the public burdens had largely increased, and he certainly could not look upon direct assistance towards local expenditure out of the Imperial Exchequer without grave apprehension as to its effect upon local government. And not only that, but the more they lessened the responsibility of those who administered these funds the more reckless they would become in their expenditure. He found that the amount collected had not been sufficient to meet the expenditure, and if the question were considered apart from all political influences, he thought a Committee might be resorted to to say whether the Imperial Parliament could not give assistance to local rates without trenching too far on items which were the subject of so much dispute. He hoped, he might add, that his hon. Friend the Member for Westminster would not press his Motion, his unfortunate Motion; if he did, he should be obliged to vote against it.

Mr. SCLATER-BOOTH said, he had an objection to the proposed reduction of the sugar duties, on the ground that it was premature to re-open the question in the case of an article off which only two years ago £2,500,000 of duty were taken. It was to be regretted, he thought, that the Chancellor of the Exchequer should within so short a time falsify the views which he had then expressed on the subject. A precisely analogous case had occurred when the present Prime Minister was Chancellor of the Exchequer, for he, having reduced the tea duties to 1*s*., and having stated that he would carry the remission no further, had, nevertheless, two years after, reduced them to their present rate, the action in the case of both right hon. Gentlemen looking very like as if with a large surplus they sought to evade touching the malt tax, by making remissions which the consumers did not expect, and upon which the trade looked with something like alarm. The Chancellor of the Exchequer, he might add, though challenged three or four times the other evening, gave no explanation of the course which he asked the House to sanction. That night, however, had let the cat out of the bag, for it now appeared that he was influenced by the consideration that the diminution of the sugar duties would furnish an exact equivalent for the reduction of the income tax. He would not travel over the ground which had been so ably traversed by his right hon. Friend the Member for North Devon (Sir Stafford Northcote) to show how mischievous it was that in a matter of taxation class should, as it were, be set against class, and would content himself with objecting to the reduction of the sugar duties on the additional ground that it would render it necessary to incur a fresh debt next year. If, no doubt, the Chancellor of the Exchequer could pay the whole of the Alabama Indemnity out of the balances this year, the finances of next year would not be compromised. There were very good grounds, however, for believing that he would not find himself in that position. The right hon. Gentleman had, as on previous occasions, compared the grants of the past year with the Estimates of the present, which was in his opinion a very foolish mode of estimating expenditure, and had forgotten to take into account those Supplementary Estimates to which the House was now so much accustomed, and which would in all probability add £500,000 to the Estimates of the present year. The consequence might be that a deficit would occur next year instead of a surplus as calculated. There was, for instance, the scheme with regard to railways, which would necessitate a Supplementary Estimate, and it must be presumed that some attempt would be made to give effect to the determination at which the House had by a large majority arrived with respect to local taxation. The Chancellor of the Exchequer might argue that he could pay half the Alabama Indemnity out of the balances. But how had these balances been swollen of late years? Mainly by the difference between the revenue and the Expenditure from year to year. The Expenditure had been greatly over-estimated, and a large amount of revenue had, therefore, been returned to the Exchequer. Was that, however, he would ask, an indication of good administration? He thought not, and the Committee on Public Accounts had shown that a very large surrender of public money had been made to the Exchequer beyond the necessities of the case, and that the Estimates had in late years been inflated beyond all reason. That remark, for instance, applied to the Education Vote, which had been inflated to such an extent in two years that £450,000 had to be repaid into the Exchequer, because it could not be spent. Again, in Class I. of the Civil Service Estimates £250,000 had been annually repaid, and during the four years the Chancellor of the Exchequer had held his present office not less than £1,500,000 had, he believed, been so repaid under these two heads alone, so that that amount was taken out of the pockets of the people quite unnecessarily, and a remission of taxation to that extent withheld from them unjustly — [Mr. Gladstone: The surplus of the Education

Vote has nothing to do with the balances.]—The balances, surely, must be all the better for the non-expenditure of that amount of public money. Then, in the case of the telegraphs, £1,000,000 had to be borrowed to repay the sums taken out of the revenue, in order to carry on the capital expenditure of that service. It was evident, also, that large further sums, to the extent, he believed, of £2,000,000, were likely to be required to meet the unexpected calls on the telegraph service from railway companies and others. Under the head, too, of Works and Buildings, there was a large expenditure to be met, unless a great loss was to be inflicted on the public. The New Courts of Justice, which had been so long delayed, must be proceeded with rapidly, or else the whole of the labours of the Judicature Commission and the operation of the Bill now before the other House were to be completely sacrificed. Beyond that, there certainly could be no economy in putting off the building of those Courts, for the interest on the cost of the piece of ground which was now lying waste was, he believed, not less than £30,000 or £40,000 a-year. With reference to the balances and the prospect of paying the Alabama Indemnity out of them, he begged to observe—and this could not fail to be appreciated—that in a year when there was a surplus the new mode of collecting the revenue tended unduly to swell the balances at the close of the quarter and the year, therefore the balances at the end of March afforded no indication of what they would be at the other quarters of the year. The balances, however, that would be affected by the payment of the Indemnity would be the balances of the autumn. What had those balances been for the last five years under the system pursued by the Chancellor of the Exchequer? Last October they were undoubtedly considerably greater than they had been for some time. They amounted, including England and Ireland, to £4,200,000; in 1871, which was also a year of prosperity, they were £1,200,000; in 1870 they were only £1,000,000; and in 1869, £1,100,000. In fact, the state of the balances in those years cost the Treasury no small amount of anxiety; and there was no reason to believe that they would stand at a very satisfactory figure in October next. That showed that if the sugar duties were repealed there was every chance that it would be necessary to make use of the power of borrowing on Exchequer Bonds, and they ought to be provided for out of the Ways and Means of the coming financial year, or else it would be contrary to the usual practice. The right hon. Gentleman the Chancellor of the Duchy of Lancaster came down on Thursday evening with a very carefully prepared and elaborate statement; but it had little to do with the subject before the House, and it certainly was not provoked by anything that had been said by his right hon. Friend the Member for North Northamptonshire (Mr. Hunt). The right hon. Gentleman (Mr. Childers) made use of arguments *ad hominem*, but they tended very little to show that the Government had redeemed the pledges they had made at the hustings. He went back to the time of the Crimean War, and showed what had been the course of legislation and the financial position of the country from that time to the present; and in regard to that his right hon. Friend (Mr. Hunt) had never said that he had not increased the expenditure in 1867—nobody denied that; but that increase of expenditure was sanctioned by Parliament. The right hon. Gentleman (Mr. Childers) further showed that the present Government had taken off £2,000,000 out of the £3,000,000 which had been put on in 1867; but there was no great credit in that, seeing that in 1867 the finances had been disturbed by the crisis of 1866, which told on the revenue for two years, and that the armaments of France, which had been a source of anxiety to the country, no longer existed. The right hon. Gentleman would have done better had he compared the Estimates of the current year with the Expenditure of 1870; those Estimates being for the present year, in a time of profound peace, no less than £4,000,000 more than they were in 1870. There was no justification for maintaining that scale of expenditure. He had no Latin quotation to throw at the right hon. Gentleman's head; but considering the number of times the right hon. Gentleman had rehearsed the statements he had made on this subject at Pontefract and elsewhere, he could not help reminding him of the adage *Qui s'excuse, s'accuse.*

Mr. MAGNIAC said, that while giving the hon. Member for Westminster (Mr. W. H. Smith) credit for sincerity—he could think his Motion no better than a political sham, for it was nothing less than a Vote of Want of Confidence in the Government. No result having followed a very strong and decisive attack on the Government, what other result could be expected under the present circumstances? The Motion was also most unbusinesslike, for the hon. Member knew it must upset a great and most important trade. Advantage must be taken of this occasion to make a manifesto against the income tax; but no party could, in present circumstances, go to the country with a cry, however popular it might be, to repeal the income tax. Nothing could give greater dissatisfaction than that the revenue of this country should be raised from indirect taxation, and that the large share which was derived from the income tax should be taken off, no matter how great the inequalities of the tax might be. Direct taxation was, in his opinion, already too light as compared with indirect. The only standard of comparison it was in our power to take was past experience, and for the last 15 or 18 years the relative proportion of direct and indirect taxes was as 31 to 66 per cent, and every year something was done to lighten the load of direct taxation. By the present Budget it would be reduced from 31 to 25 per cent. He found, to his great regret, that the Estimates for the coming year exceeded the actual Expenditure of the past year by no less a sum than £1,157,000—an excess of which the Government would probably hear more from that side of the House. He put it to the hon. Member for Westminster, under those circumstances, whether it would not be better to withdraw this unfortunate proposal. [*Laughter.*] Hon. Members laughed; but he gave this advice in all sincerity, because one need not rejoice when an adversary whom he respected put himself in a false and ignominious position. What would be the use of carrying the Resolution? They had been told that the party opposite had no policy to go to the country upon, and therefore that there could be no Dissolution. It had been even said that it was quite impossible for a party to have a policy unless it was sitting on these (the Ministerial) benches. Therefore, if the hon. Gentleman carried his Resolution, hon. Members opposite would be no better off, while the commerce of the country would be completely upset. He was glad, however, to say that the Motion would be defeated, for there were in that House Members who would take care that rich and poor alike should receive equal justice.

Mr. FAWCETT said, it certainly seemed to him somewhat unfortunate that the vitally important question raised by the Motion of his hon. Friend the Member for Westminster (Mr. W. H. Smith) had been obscured by these party recriminations. What was the question which the hon. Member asked the House to express an opinion upon? It was simply this—and it seemed to him impossible for any hon. Member to place a more important issue before their consideration—they had to decide whether, before proceeding to consider the question of reform of local government and local taxation, the House should be pledged to the principle of granting public money in order to relieve local finance. It appeared to him that the most conclusive argument which had been offered in that debate against the Motion of the hon. Member for Westminster had been supplied in the speech of the hon. Member for North Hants (Mr. Sclater-Booth). That hon. Gentleman stood high in the confidence of the Conservative party; he had concerned himself in local taxation, and he was a great financial authority; but in the speech he had made he did not once refer to the question of local taxation. From what he (Mr. Fawcett) had said on former occasions, it would be known that he was not an enthusiastic admirer of the financial proposals of the Chancellor of the Exchequer. In the first place he had declared it unworthy of a great country in a time of exceptional prosperity to borrow money to pay a charge of the year; in the second place, he had objected that the relief to the income tax payers was infinitesimal, producing the minimum of advantage to those whom it was supposed to benefit; and thirdly he had expressed the opinion that the Chancellor of the Exchequer was taking a far too favourable view of his financial prospects. But the circumstances under which he had expressed this opinion differed from the present. The opinion of the Opposition, judging by their applause, seemed to be unanimous in favour of paying the Geneva Award out of the revenue of the year. That being so, he regretted deeply the party had not the courage of its opinions, and that it did not challenge the proposals of the Chancellor of the Exchequer by a Notice of Motion the same evening they were submitted. Such a Notice of Motion would have been courageous and straightforward, and it would have warned the trade concerned not to count too certainly on the adoption of the Budget proposals. So strongly did he feel on the subject, that reckless of the result, he would have risked a Ministerial crisis by voting in favour of a Motion he believed to be wise, just, and patriotic. Now, however, the circumstances had altogether changed; judgment had gone by default. But the speech of the hon. Member for Westminster had pointed to a different issue from that suggested by his Motion. The hon. Member and his supporters had in their speeches raised the question that too much taxation was being remitted. The Motion suggested that remission was being made in the wrong direction. If the Chancellor of the Exchequer had really over-estimated his probable receipts, then the Motion should be rejected, because by adopting it the House would be pledged to make still further expenditure out of the Imperial Exchequer for the relief of local burdens. The opinions expressed by the Chancellor of the Exchequer that evening in answering the Motion, therefore, he cordially endorsed. Adopting the views of the Prime Minister, he had submitted that taxation should be remitted by reductions, partly of direct and partly of indirect taxation. The right hon. Gentleman described direct and indirect taxation as twin sisters, and grew quite pathetic over their union. It was to be hoped he would not forget the union when the time came for imposing taxation. It would not do when occasion arose as it did two years since, that the unfortunate payers of direct taxation should be made to bear the whole burden. Returning to the Motion he construed it as an adoption of the programme of the hon. Baronet (Sir Massey Lopes), and as an invitation to grant public money to help local taxation. ["No, no!" *and* "Hear, hear!"] If it did not mean that, he did not know what it meant. Surely the legitimate construction to be put on the Motion was, that the sugar duties should not have been remitted, and that the money accruing should have been given in relief of local taxation. It was not expedient that so great a question should be prejudged by a Resolution of the kind submitted, and that it should be said no relief ought to be given, for those who had studied the question knew that the reform of local taxation involved questions of infinitely greater importance than getting a million or two of Imperial taxation. In fact, they would be crippled in discussion, and hampered in the consideration of this great subject, if they pledged themselves beforehand to grant public money for such a purpose. He therefore wished to point out a few of the evils involved in the question. In the first place, as Imperial grants for local purposes were increased, exactly in the same proportion would local self-government be diminished. He ventured to submit that the country would insist that national funds should not be administered by local authority, but by a national authority. Consequently every additional penny paid out of the Imperial Exchequer to augment local funds weakened the guarantee for economy in local expenditure. It had been repeatedly said that if public grants were made in aid of lunatics and police, you need not fear a less economical administration of the funds than there now was. Now, he would repeat an anecdote which bore on this subject. In the last Parliament there sat on the Opposition benches a county Member distinguished for great ability, zeal, and devotion to business—the *beau idéal* of a county Member. Visiting the county for which this Gentleman sat just before the General Election, he (Mr. Fawcett) said—"I suppose Mr.—— is certain to be returned?" "No," was the reply; "he has not the least chance of re-election. He voted for a pension to the superintendent of an asylum, and the ratepayers think he voted £50 a-year more than ought to have been voted." This Gentleman, therefore, retired from the representation; but suppose the pension had been derived, not from local, but from public sources — he might then have safely voted for a pension of four times that amount, and, instead of thereby weakening his position in the county, it would have been thought that he had done a meritorious act, for public money was no one's money. Take another fact bearing on the finance of the metropolis. Five years ago an Act was passed constituting a common fund for the relief of the poor in the metropolis; but although since then pauperism had diminished and exceptional prosperity had prevailed, the relief of the poor had been marked by such prodigality that it cost half as much again as it did five years since; and if those who administered this common fund could have put their hands into the Imperial Exchequer, double or three times as much would have been spent. The hon. Member for Westminster showed a wise discretion in discussing this question as the Representative of a great borough, for many of those who pushed this question to the front would be grievously disappointed at finding that, in the opinion of the country, local taxation was not so much a landowner's, or land occupier's, as a house occupier's question. Taking an average throughout the country, the rates in the rural districts were not half what they were in the towns. For instance, in Wiltshire the average rates were 3*s.* 10½*d.* in the pound, while in Salisbury they were 7*s.* 10*d.* In Devonshire they were 3*s.* 2*d.* in the pound; in Plymouth they were 7*s.* 1*d.* In Norfolk they were 3*s.* 2*d.* in the pound; in Norwich, 7*s.* 2*d.*, and in King's Lynn 7*s.* 3*d.* Nor was this all, for charges upon land had been constantly diminishing, while those upon houses and business premises were constantly increasing. In 1841 half the total amount of local taxation was contributed by land; at present land contributed only one-third. Again, certain exemptions were enjoyed by the land which were absolutely indefensible. Mansions were rated too low; game preserves were not rated at all; coal mines did not pay their share. Compare the local taxation in these cases with the rating of railways and waterworks, which were assessed, by some unintelligible process, upon profits. When, therefore, the question came to be examined, the country would come to the conclusion that farmers and landowners were not the people who bore the chief burden of local taxation, but house-occupiers. Never was there a greater delusion than that attempted to be palmed off upon the tenant-farmers than that they as a class would benefit from large remissions of local taxation. That might be so during the continuance of a lease, if a man had one; but, in other cases, if a farmer's rent were £1,000 and his rates £200 a-year, and if the £200 were made an Imperial charge, the landlord would at once increase the rent to that amount, and you would therefore simply put the money in the landlord's pocket. There was another point in the question to which he wished to draw attention—namely, that in towns great injustice was done to ratepayers by the recklessness with which local authorities borrowed. In Imperial finance we were constantly boasting of a surplus of £3,000,000 or £4,000,000, yet in local finance we often had a deficiency of £10,000,000 or £12,000,000. Every facility was given to local authorities to get into debt, and in London in one year the authorities borrowed as much within 20 per cent as they raised by rates, raising £3,700,000 by rates and borrowing £3,000,000. Such finance was as reckless as that of Turkey, and that system of paying for improvements out of borrowed money sanctioned every species of extravagant expenditure. The system further involved a peculiar injustice connected with the mode in which local authorities effected improvements. They did so by means of loans which were to be repaid in a limited number of years; and for the purpose of repaying a loan they increased the rates, to which the owner of property contributed not a shilling. When the property of an owner was made more valuable by means of the increased rates paid by his tenant, the owner raised the rent. He hoped the Government would not on Thursday next commit the mistake they did two years ago, of proposing the abandonment of a portion of Imperial taxation in order to reduce local taxation. A wise and statesmanlike settlement of the intricate questions of local government and local taxation would require on the part of the statesman who would undertake that settlement a financial and administrative capacity like that displayed by the Prime Minister when dealing with the Irish Church Bill and the Irish Land Bill.

SIR MASSEY LOPES said, they would be prepared to meet some of the arguments of the hon. Member for Brighton (Mr. Fawcett), when the Government brought forward their proposals on Thursday with reference to local taxation, that, and not this, being the proper occasion on which those arguments should be considered. The House was now discussing the Budget of the Government on the Motion of his hon. Friend below him, the Member for Westminster (Mr W. H. Smith.) For his own part, he deeply regretted that, with so large an available surplus, the Government had in no shape whatever considered the acknowledged grievances of ratepayers and in no way suggested any proposal for giving them relief in regard to the exceptional taxation now imposed upon them. This omission on the part of the Government was all the more remarkable after the very decisive view which the House expressed on the subject last Session, and he held that it was imperative upon the Government to give at least some effect to that Resolution. Instead of that, however, they had done nothing. They had set at nought the most authoritative vote ever recorded in the House of Commons; they had totally ignored the will and wishes of that House. Such a course was not respectful to the House, neither was it a constitutional proceeding. It was not in the power of any private Member to deal with any subject connected with finance, except by proposing an abstract Resolution. The questions of the abolition of the corn duty, of the window duty, of the fire insurance duty, and of the paper duty were introduced by abstract Resolutions proposed by private Members. They were forced on the Government by that means, and that means alone; and not one of those measures was ever carried by a greater majority than the Resolution which on his Motion was carried last year, a majority formed not only of one section of the House, but of Members on both sides of the House. The Government had lost a golden opportunity of alleviating a great grievance. When he last Session advocated the claims of the ratepayers who suffered from this grievance he was asked where the money was to come from. The Chancellor of the Exchequer answered that question when he announced an estimated surplus of £4,750,000. When, in the year 1869, he asked the Government to grant a Royal Commission to inquire into the amount, incidence, and effect of local burdens, the right hon. Gentlemen the then President of the Poor Law Board told him that the only tribunal to which he could appeal was the House of Commons. The First Lord of the Treasury said that the points in question were Budget considerations, and that the Government would not delegate their powers to a Royal Commission. Well, he appealed to the House of Commons. The response was no dubious or uncertain one. The verdict was decisive and emphatic, and he maintained that the Government were not justified in treating the deliberations of the House with silent contempt, simply because the opinion of the House was not in consonance with the views of the Government. In 1868 he first introduced this question. In 1869 he was buoyed up by vain hopes and expectations held out by the Government; nay, more, by the promise that they would themselves undertake the settlement of the question, and inaugurate a new system of local taxation. What had occurred during the interval? In the four years from 1868 to 1872, there had been added to our local burdens upwards of £1,500,000—£1,000,000 to the poor rate levy alone, increasing the levy by 10 per cent. An addition had been made to what was called the relief of the poor out of that sum to the extent of nearly 8 per cent; while to county, borough, and police, the addition during those four years amounted to 17 per cent. Instead of relieving our grievances the Government had aggravated them—instead of listening to our expostulations they had mulcted us more severely, and without wishing to use harsh language, he could not help characterizing the conduct of the Government in this matter as adding a vast deal of injury to a great deal of injustice. Not only had they added during the past four years £1,500,000 to our local burdens, but they had added an unknown quantity to that sum by means of the Education Act, which would result in imposing a 6*d*. rate, amounting in the whole to £2,500,000. To the aggregate so made up must be added the further sum which would have to be paid under the Sanitary Bill, turnpikes also were looming in the distance, and it was no thanks to the Government that we had not to provide out of our rates for the erection of Militia barracks at a cost of £3,000,000, for election expenses under the Ballot Bill, and for the expenses of criminal prosecutions. Instead of advancing, we were continually retrograding on this subject. In 1870 the Government proposed to admit our grievances by giving £1,200,000 of house tax. They were not now acting fairly toward us. They were dangling these things before our eyes, and at the same time continually imposing upon us fresh obligations. The hon. Member who had just sat down had stated that he (Sir Massey Lopes) had last year proposed to impose certain definite charges for certain definite purposes on the Consolidated Fund, but the terms of his Resolution were that it was expedient to alleviate and remedy the injustice of imposing taxation upon one class of property for national objects. It must be borne in mind that, although he had proposed a remedy for that evil, he by no means felt bound to stand by that remedy if the Government could suggest a better one. The answers of the right hon. Gentleman opposite (Mr. Gladstone) were sometimes so obscure that it was almost impossible for ordinary mortals to understand them; but in answer to a Question he had put to the right hon. Gentleman the other night, he had understood him to say that, while he admitted the grievances alleged, he did not approve the remedy proposed, although he was at the same time quite prepared to propose another remedy of his own upon the old lines he proposed in 1871. He (Sir Massey Lopes) could only say that if the right hon. Gentleman proposed to relieve us in the shape of the house tax, the assessed taxes, or any other Imperial tax of a local character, and give them in aid of local burdens, he would not cavil at that mode of relief, although he thought it would amount to pretty much the same thing whether the burdens were placed upon the revenue, or a portion of the revenue was given up to assist the rates. But whatever the Government proposed, he would point out that as they gave relief from the Imperial Exchequer, the Exchequer must be *pro tanto* reduced and affected and its equilibrium disturbed. Now, there was no definite proposal of any kind of relief in the Budget. There was no margin left, and there was therefore no instalment of justice at all. In fact, it completely shut the door to such relief being afforded on a future day by surrendering so large a portion of the revenue derived from indirect taxation, and thus the deliberate decision of the House of Commons on this subject was set aside. The proposal which he (Sir Massey Lopes) had made in aid of local burdens had, at all events, this advantage, that it would have given equal relief to town and country. He defied any hon. Member in that House to say that he had advocated the claims of land as against the claims of towns, and the remissions which he had proposed would have given the lion's share of relief to the towns. He considered that their interests were identical, and he was not going to ask anything for the country which he was not prepared to ask for the towns. Under these circumstances, he was not open to the charge that the Chancellor of the Exchequer had brought against him. He trusted that the right hon. Gentleman would show more consideration for the towns than he had done for the country, because he had never lost an opportunity of giving a "dig" at the latter; neither did he ever lose a chance of needlessly exasperating those interested in land. Thus, when the malt tax deputation waited on him the other day, he told the deputation that they were being bamboozled by their landlords. He also said that he had no surplus; but that was before the Ministerial crisis, and the Government had altered their note since that had occurred. Again, in 1871, the right hon. Gentleman had hinted at his desire to tax the motive power of the agricultural interest, and the other night, in reply to a Question put to him by the hon. Member for West Norfolk (Mr. G. Bentinck), the right hon. Gentleman had said that the landed interest appeared quite to have forgotten the indulgence that had been shown them under Schedules A and B. But what was the fact—that the landed interest was the only one which paid income tax upon its gross, instead of on its net income, and that no allowance was made to it for repairs, insurance, bad debts, agency, and so on. In 1852 the present First Lord of the Treasury (Mr. Gladstone) had clearly proved that while trades and professions were only paying 7*d.* in the pound, land was paying 9*d.*, and at the present moment land was paying 5*d.*, while professions were only paying 4*d.*

in the pound. The right hon. Gentleman had further taunted the farming interest with having made a good thing out of the enhanced value of the commodities they produced, whereas the price of corn was regulated, not by the home production, but by the foreign supply, and the price of meat was enhanced by reason of imported cattle disease. The price had risen because the supply was reduced, and the farmers were not deriving any benefit from these high prices. The Budget showed the animus, it showed the temper rather than the talent, of the Chancellor of the Exchequer. The object of the Budget was in prospect of an approaching Dissolution, to please everybody, but such an attempt seldom pleased anybody. The object of the Budget was not only to conciliate everybody, but to win back the *prestige* which was so irretrievably damaged, to bolster up a faltering dynasty. The Government might reduce indirect taxation as much as they pleased, but whatever their exigency might be they would never succeed in re-imposing it. The Chancellor of the Exchequer must have had a lesson from his attempt to impose a match tax; *ex luce lucellum* ought to have taught him a lesson. The consumer by the reduction of one half the sugar duty could never derive any appreciable benefit from it. Where a small reduction of duty was made it did not go into the pocket of the consumer, but of the producer and the merchant. That was his view of the reduction of the sugar duty. If the right hon. Gentleman had reduced the income tax by a penny in the pound, and limited the payment of the Alabama Claims to one-half the amount due, he would only have absorbed £3,000,000. If he had considered the claims of the ratepayers, and given them one-half the cost for lunatics and one-half the cost of the police, he would have given them an instalment of justice; never was Imperial taxation so light, and never was local taxation so strongly felt as at the present moment. The Government had not only shut the door against the advocates of the reduction of local taxation for the present year, but they had endeavoured hermetically to seal it hereafter. By throwing over the payment of one-half of the Alabama Claims to another year the Government had placed it out of their power to give any relief to local taxation next year, for they had mortgaged their resources to that extent. The Government would have conferred a greater boon if they had relieved the taxpayers from some of the national obligations which pressed upon them. They would have done more to stimulate the employment of capital, and to sweeten the toils of the working man than they could possibly do by the proposition which they had submitted to the House.

MR. GOSCHEN said, he shared the surprise of the hon. Member for Brighton (Mr. Fawcett) that those who were anxious that the Alabama Claims should be paid out of this year's revenue had not raised the question before the House voted the reduction of the income tax. The hon. Baronet who had just sat down contended that no margin was left to carry out the objects he had so persistently advocated; but why did he not consider this before he became a party to the reduction of the income tax? His right hon. Friend the Chancellor of the Exchequer had suggested that it would be better to discuss the matter of the income tax and the sugar duties together; but both those who would pay the Alabama Claims out of this year's revenue and those who would reduce local taxation had allowed that portion of the Budget to pass—the portion which affected the income and the property of the country—and then raised an issue on indirect taxation alone. The hon. Baronet would raise the income tax in order to be able to diminish the burdens of local taxation. ["No, no!"] At all events, that course had been advocated in the debate. Why did not the hon. Baronet boldly raise the question? [Sir MASSEY LOPES: I never said so.] What did the hon. Baronet never say? [Sir MASSEY LOPES: I never advocated any increase of income tax.] The hon. Baronet the Member for South Devon (Sir Massey Lopes) had advocated an increase of the area of taxation, and that personal property should be liable to rating. This appeared to him to be much the same as recommending an increase of income tax. ["Oh, oh!"] The argument was, that the banker who derived great profits should pay as well as the householder, and that means should be found to reach income not derived from houses or land; and it was pointed out that, while the income of the country was £700,000,000, only

£300,000,000 contributed to the rates. What was the meaning of that but that contributions should be obtained from the rest of the income of the country—that of the widow and the working classes as well as that of the millionaire? ["No, no!"] He was glad to hear the notion for the first time distinctly repudiated; but on these occasions we did not hear of the widows and others with fixed incomes whom some hon. Members on other occasions professed themselves so anxious to relieve; and in the general statements that were made, the income of the working classes was added to that derived from property, and it was called wealth. The hon. Baronet spoke of the aggregate earnings of the country as constituting its wealth. Earnings might produce wealth, but they were not wealth; and it was not fair to say that there was so much wealth escaping taxation. It appeared to him (Mr. Goschen) that the Motion of the hon. Member for Westminster (Mr. W. H. Smith) was very craftily arranged, but happily such expedients did not succeed, and it was evident how false a move he had made. Knowing that there was considerable feeling in some parts upon the question of income tax, he endeavoured to avoid running the local taxation question against it, and to combine the two parties—those opposed to the income tax and those who would lighten local taxation—in support of one another at the expense of indirect taxation. However, it was not possible to conduct a debate with such an alliance, and as a fact, the hon. Member for Brighton noticed a remarkable omission from the two speeches made from the front Opposition benches—the omission of any allusion to local taxation. The right hon. Baronet opposite and the hon. Member for North Hants (Sir Stafford Northcote and Mr. Sclater-Booth), on the other hand, discussed the financial proposals of the Government from the Chancellor of the Exchequer's point of view, which was the Imperial point of view, and their friends had made the absence from their speeches of allusions to local taxation a subject of complaint. On the other hand, the hon. Baronet the Member for North Devon had been very severe upon the Budget because it did not involve any speculative finance, and said the time had come when the Government ought to make a declaration as to their future policy with reference to the income tax. The hon. Member for Westminster, however, took a totally different line, and said the Government ought not to promise remissions of taxation which they were not sure they would be able to carry out. It would be contrary to the advice given by the hon. Member for Westminster, and to the advice he quoted reproachfully against the Government if they endeavoured now to obtain popularity by stating that they intended to reduce the income tax by a penny every year for three consecutive years. The Government thought it would not be right in the interests of the public to place before the House of Commons a scheme of prospective finance for three or four years to come. It might be said, indeed, that his right hon. Friend now at the head of the Government did state some prospective finance in 1853, but he did not carry out the predictions which the circumstances of the time, perhaps, justified him in making, and it was not a precedent which his right hon. Friend was likely to follow again. All the evils described as resulting from abstract Resolutions would be brought about to a certain extent, if the Government were now to state their abstract views of the merits of various taxes. The Government had looked at the facts which presented themselves at the present time. They found there had been a surplus which the hon. Baronet the Member for South Devon (Sir Massey Lopes) spoke of as amounting to £4,750,000. When, therefore, he said that sum was at the disposal of the Government for the purposes to which he alluded, the hon. Baronet did not assume that part of it would be devoted to the payment of the Alabama claims. However, the Government provided for a portion of those Claims, and they had next to consider how the remainder of the surplus could be best disposed of. He would not balance the sugar duty simply against local taxation, but he would balance it against the income tax. Why had the indirect taxes been chosen for the present attack? A portion of that attack had been distinctly and avowedly made on the ground that the time had come when the Government ought no longer to remit indirect taxation. That was no doubt an intelligible issue, but he must state most emphatically that the

Government did not think the position was such that they ought now to deal simply with remissions of direct taxation, on the ground that they had reached the limit of remissions of indirect taxation. He doubted whether any hon. Members on that side of the House were of opinion that future surpluses ought to go into the pockets of the payers of income tax alone, and that the great body of the people who constituted the consuming classes were not to have the benefit of any reduction at all. The right hon. Baronet the Member for North Devon said he was prepared to prove that the Chancellor of the Exchequer was wrong when he represented this as being to a great extent a question between the consumers who belonged to the poorer classes of the community and the rich. The right hon. Baronet further selected the poorest classes who were liable to the income tax, and pitted them against the consumers of sugar. Of course, there was no tax which did not press hardly on some of the persons who paid it, but was that a sound reason for abandoning another penny of the income tax or abolishing the tax altogether? The right hon. Baronet had quoted a speech of the Chancellor of the Exchequer in which his right hon. Friend said that the lower classes paid most towards the revenue. This was a perfectly correct quotation, but his right hon. Friend never said they paid most on account of their being the poorest classes. That the Government thought the income tax payers were entitled to consideration was shown by their proposal for the reduction of a penny in the pound, but in the course of the present debate the great point which had been made was with reference to the poorest class of those who paid income tax. Indeed, the right hon. Baronet even referred to those who had an allowance of £80 made on their incomes. The right hon. Baronet might have said—"Why remit a penny of the income tax to everybody; why not deal with this class alone;" but instead of that, the House was invited not to reduce the tax which fell on the consumers of sugar, in order that a tax might be maintained which, though it might press hardly on some persons who were poor, was undoubtedly paid in an enormous proportion by the rich. The hon. Baronet the Member for South Devon correctly said he had never asked with regard to land for assistance which he was not prepared to extend to the towns. But the hon. Baronet owned that the towns had the larger balance, and accordingly said—"Let us get up an alliance of those who have a similar grievance, and take advantage of the larger grievance to ask for a common remission." To take the figures referred to by the hon. Member for Brighton, the hon. Baronet opposite argued somewhat in this way—"A county town pays 7*s.* and we pay 3*s.* Thus the town has a grievance and so have we. Now we know the House of Commons will pay attention to the great burden of the 7*s.*, and therefore we will try to get 1*s.* off each." In the same way as the hon. Baronet made common cause with the ratepayers in the towns did all the payers of income tax rank themselves with the overburdened class at the lowest line of the income tax. The case, however, for the consideration of the House was, he submitted, not whether there should be a reduction of local taxation, but whether as between direct and indirect taxation, the proposals of the Government were such as to commend themselves to the country as a whole. For his part he thought they were, and the House, he believed, would not think that in the Budget the Government had unduly favoured either one class or the other. His hon. Friend the Member for Finsbury (Mr. W. M. Torrens) had spoken of two inhabitants of his borough who had respectively £90,000 and £40,000 a-year, and who paid nothing whatever to rates. But surely that was no reason why they should also be exempted from income tax? He did not propose, on that occasion, to state the views of the Government on local taxation, because the Chancellor of the Exchequer had already distinctly announced that this year no provision would be made in the financial arrangements for any contribution from the Imperial Revenue to local purposes. The hon. Baronet the Member for South Devon (Sir Massey Lopes) had assumed that his Resolution of last Session was to be accepted and acted upon in a literal sense; but all he (Mr. Goschen) could say was that the Government recognized the grievance of which the hon. Baronet complained, and all the Government had promised was to remedy the grievance in a manner consistent with their principles. They had not tied themselves down to any particular scheme, and any inference that might be drawn that the Government intended to legislate in the line laid down in a former debate on this subject would be erroneous. The President of the Local Government Board would explain to the House in detail, and at the earliest possible moment, the views of the Government; but he trusted that the House would not hang up the question of the sugar duties in order that they might first see the proposals of the Government on local taxation. The hon. Baronet had considerably exaggerated some of the charges on local rates. He had alluded to the charge for barracks, which were not thrown upon the local rates.

SIR MASSEY LOPES: I said that we had not to thank the Government that the barracks were not thrown upon the rates.

MR. GOSCHEN said, that the hon. Baronet had, he believed, on a former occasion thanked the Government for relieving the local rates from this charge. He seemed, therefore, to have rather a short memory on the subject. He had also alluded to turnpikes in connection with highway rates; but was the House not to proceed with the sugar duties in consequence of the hon. Member's anxieties about turnpikes? The Government had to look to the interests of the whole community. It had been truly said during the debate that the whole community were interested in the progress of finance; and nothing was more to be deprecated than that the notion should prevail among the great body of the people that the House and the Government had arrived at the end of all further remissions of indirect taxation. One of the most powerful inducements to economy in the public expenditure would be lost if it were thought that all future remissions would go to direct taxation alone; and as it was right that the working classes should bear a share in the burdens imposed upon the community, so they ought to retain their interest in the reduction of the public Expenditure. The right hon Baronet the Member for North Devon had alluded to the allegation of sugar being an article of luxury to the poor. [SIR STAFFORD NORTHCOTE: I called it a "necessary."] He (Mr. Goschen) was about to call attention to that very word. Were the Opposition, then, coming to this—that there was to be no more remission of taxation on the necessaries of the poor? The Government would always endeavour to hold the balance aright between direct and indirect taxation; but if hon. Gentlemen opposite thought to force the Government to any prospective finance, or to get any declaration from them that might be utilized against the income tax, they would find themselves in error. What the Government had pledged themselves to was to do justice to all classes; but they would not pledge themselves to go forward on one line and on one line only. He trusted the hon. Member (Mr. W. H. Smith) would be satisfied with the consequences of his Motion, because if so, the Government could not but share his satisfaction after the differences which had been expressed on the hon. Member's side of the House. He presumed it was to be gathered that hon. Gentlemen opposite would prefer the remission of direct taxation to the abolition of the malt tax. ["No, no!"] He thought from their speeches it was against direct taxation they were now waging war. That rather complicated matters, and he should like to know whether they would allow the income tax to be completely abolished before they dealt with the malt tax. It was impossible for a Government to deal with these abstract questions. All that a Government could do was to meet them in a fair and equitable manner as they arose. Here was a surplus to be disposed of, and it was not the duty of the Government to run one claim against another and one tax against another; and those who advocated any such course would find, when the division was called, that they would not get a majority.

MR. STEPHEN CAVE moved the adjournment of the debate.

MR. GLADSTONE said, it was desirable that the debate should proceed. He should therefore like to hear what the right hon. Gentleman had to say upon the subject.

Motion *agreed to*.

Debate *adjourned till Thursday*.

RAILWAY AND CANAL TRAFFIC BILL.

(*Mr. Chichester Fortescue, Mr. Childers, Mr. Arthur Peel.*)

[BILL 121.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Chichester Fortescue.*)

SIR HERBERT CROFT moved that the Bill be re-committed for the purpose of inserting clauses, giving to the Commissioners all the powers now exercised by the Board of Trade and the Court of Common Pleas with reference to railways; and enabling them, in addition, to compel Railway Companies to alter and improve a railway station, or level crossing reported to be dangerous; to properly and efficiently light carriages in their passage through tunnels; and to order inconvenient and unreasonable running of trains to be remedied.

MR. NEWDEGATE, in seconding the Amendment, said, that it was well-known in the House that he was not inclined to grant exaggerated powers to the Commissioners appointed under the Bill; but there were two points contemplated in one of the clauses which the hon. Baronet the Member for Herefordshire (Sir Herbert Croft) had now moved that he wished to commend to the attention of the President of the Board of Trade and to the House. The first was, the clause which related to stations and level crossings and their dangerous character. He had three or four times brought before the House the danger of the station at Nuneaton and the level crossing there, now removed; but it took 10 years, six years after the Report of the Inspector, and cost four lives, before that danger was remedied. He had laid these facts before the House, and the pressure of the House had induced the North-Western Company to undertake the remedy of the evil; but why should six years have been wasted after the Inspector reported that the station and level crossing were dangerous, and why should four lives have been sacrificed before the danger was removed? He thought that the powers granted generally to the Commissioners were ample in other respects; and so he was unable to go entirely with the hon. Baronet the Member for Herefordshire; but he must say this, that he thought the Bill was deficient in not granting the Commissioners power to command the removal of an obvious cause of danger, after it had been reported by their own officers; and he agreed with the hon. Member on another point. He was of opinion that the inhabitants of a locality, who found themselves injured by the manner in which the trains were run at a particular station, ought to have a *locus standi* before the Commissioners; and he knew that they had not now a proper *locus standi* before the Board of Trade, or before the House, because he had been obliged to resort to every possible contrivance in order to obtain a due representation from the inhabitants of his own neighbourhood. With reference to two points, therefore, speaking from personal experience, he recommended these clauses to the attention of the right hon. Gentleman the President of the Board of Trade.

Amendment proposed,

To leave out from the words "Bill be" to the end of the Question, in order to add the words "recommitted in respect of certain new Clauses:—

(Powers of Commissioners.)

From and after the   day of   , one thousand eight hundred and   , the Commissioners under this Act shall, with reference to all matters whereunto their jurisdiction under this Act extends, stand in the same place of and exercise all powers whatever now exercised by the President of the Board of Trade, and also by the Court of Common Pleas with reference to Railways.

(Railway station or level crossing reported dangerous.)

If and whenever any Inspector of Railways appointed under any Act shall report to the Commissioners with respect to any Railway station or any level crossing that the same is dangerous to the safety of the public, it shall be lawful for the said Commissioners, at their discretion, to give notice thereof in writing to the Railway Company owning such Railway station or such level crossing as aforesaid; and in case such Railway Company shall not within twelve calendar months from the date of such notice alter and improve such Railway station or level crossing in such manner as such Inspector shall certify in writing to be sufficient for the safety of the public, then and in every such case such Railway Company shall be liable to a penalty not exceeding   pounds for every day from the expiration of such twelve calendar months, until such Inspector shall so certify as aforesaid; and such penalty shall be enforced by distress in the same manner as in the case of rent in arrear upon the property of such Railway Company at such time and in such manner as to the said Commissioners shall seem good.

(Carriages to be properly and efficiently lighted.)

From and after the   day of   , one thousand eight hundred and   , all Railway carriages conveying passengers in the day time or by night, on any line of Railway passing through a tunnel or tunnels, shall be properly and efficiently lighted, under the same penalty, in respect to each carriage as is in the last clause of this Act contained.

(Commissioners may order inconvenient and unreasonable running of trains to be remedied.)

Be it also Enacted, That it shall be competent for the said Commissioners on receiving any memorial in writing from the inhabitants of any town, district, or locality, or in the case of a joint and several Railway station, that the trains of the Company are not run in due and reasonable conjunction with the trains of any other Company so jointly and severally using such Railway station as aforesaid, or that by inconvenient or unreasonable running of trains the interests of the public or the locality are prejudiced, then, and in such case or cases the said Commissioners shall have full power to investigate, and shall investigate the allegations in such memorial set forth, and make such report and order thereon and afford such relief as to them shall seem reasonable and just, and shall name such reasonable time within which such order shall be carried into effect as to the said Commissioners shall seem fit, and in every such case such Railway Company shall be liable to a penalty of   pounds per day for every day from the expiration of the time within which such order shall have been directed to be done and carried out; and such penalty shall be enforceable by distress on the property of such Railway Company at such time and in such manner as to the said Commissioners shall seem fit,"—(*Sir Herbert Croft*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. ASSHETON CROSS, while far from saying that the recommendations of the hon. Baronet the Member for Herefordshire (Sir Herbert Croft) were not worthy of consideration, objected to "breaking the backs" of the Commissioners by imposing upon them work for which they were not appointed. He would remind the House that the Commissioners were appointed for a totally different purpose for that provided for in the proposed clauses—namely, to carry into effect the provisions of the Railway and Canal Traffic Act as amended. The matters brought under the attention of the House were, however, of great importance, and he hoped the Board of Trade would not lose sight of them.

Sir CHARLES ADDERLEY supported the Amendment. The powers in question would not be acquired or exercised by the Board of Trade, and ought to be committed to the Commissioners appointed by the Bill. If they were to have a costly Commission, at all events let them have duties performed which if not undertaken by them, would not be performed at all.

Mr. CHICHESTER FORTESCUE resisted the proposal to recommit the Bill, upon the ground that it was a measure which dealt only with questions of traffic and not with questions of the public safety. He was very much surprised at the view taken of the Bill by the right hon. Gentleman who had just sat down, who was utterly mistaken as to the effect of the Bill. The powers transferred to the Commissioners by the Bill came not from the Board of Trade but from the Court of Common Pleas. However, his principal argument against the proposition now made was, that this was the third reading of the Bill, and there had been ample opportunity at previous stages to propose any such Amendments as those now brought forward. The Bill was from first to last a traffic Bill, and care was taken in it that no confusion should arise between the powers of the Commissioners and those of the Board of Trade.

Mr. STANHOPE was satisfied with the explanation of the right hon. Gentleman the President of the Board of Trade, and would not move the Amendment of which he had given Notice.

Mr. WHALLEY expressed his disaproval of the creation of the tribunal with such powers as the Bill proposed.

Mr. HINDE PALMER supported the Amendment on the ground that an increase of powers to the proposed tribunal was necessary.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

EAST INDIA LOAN BILL—[Bill 103.]

(*Mr. Grant Duff, Mr. Ayrton.*)

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [3rd April], "That Mr. Speaker do now leave the Chair."

Question again proposed.

Debate *resumed.*

Mr. FAWCETT called the attention of the Speaker to a point of Order—namely, whether this being a Money Bill for India, it was exempted from the Rule that Opposed Business should not be taken after half-past twelve o'clock?

Mr. SPEAKER said, the Bill was undoubtedly a Money Bill, and that as such it formed an exception to the rule to which the hon. Gentleman referred.

Mr. FAWCETT, in moving the Amendment of which he had given Notice, remarked that the Bill was a most important one, involving the disposal of no less a sum than £8,000,000. He begged to move that in the opinion of the House it was inexpedient that such a loan should be raised without a full explanation as to the purposes to which the money was to be applied. The Indian Government had already £23,000,000 of cash balances in its hands, principally consisting of the unexpended portions of previous loans.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is inexpedient that a loan of a large amount should be raised upon the security of the revenues of India, when the measure which authorises the loan contains no statement of the purposes to which it is proposed to devote the money, and provides no security that a portion of the loan may not be employed as ordinary revenue, or may not be applied to objects different from those for which the loan was originally intended," — (*Mr. Fawcett,*)

—instead thereof.

General Sir GEORGE BALFOUR said, in support of the Bill, that its object was to effect a very considerable reduction of expenditure in India. At the same time, however, he thought the House should have some check on the appropriation of the money.

Mr. GRANT DUFF: The object of the Bill now before us is to authorize the Secretary of State in Council to raise £8,000,000 in England for the service of the Indian Government. The natural inference which anyone would draw from that statement if he heard it without explanation would be that, for some reason good or bad, the Secretary of State in Council meant to add £8,000,000 at no very distant period to the debt of India. But that is not so. This money is wanted chiefly for the purpose of paying off existing debt. About £1,000,000 of it is wanted for the purpose of paying off certain debentures which fall due in the month of August. There are £5,000,000 of these debentures in all, but the existing holders have agreed to renew to the extent of about £4,000,000. The debentures which are going to be paid off are 5 per cent debentures. The debentures which are going to be issued in their stead are 4 per cent debentures, and we can borrow at present at 4 per cent. So that the total gain to the people of India on this first part of the transaction, that is on renewing £4,000,000 of debentures, and borrowing £1,000,000 to pay off the rest will be as nearly as possible £50,000 a-year. I think under these circumstances the House will not object to letting us have £1,000,000 at least out of the £8,000,000. Now, however, for the rest of the money. For what purpose do we want that. Something more than £4,500,000 of it we want to enable us to carry into effect the provisions of a Bill which lately passed this House for redeeming the Stock of the East India Company next year, a transaction by which we shall gain at one sweep £450,000 a-year for the people of India; because under the arrangements made when the Company was obliged in 1834 by Parliament to give up its China trade, the revenues of India were saddled with a payment of £630,000 a-year to the stockholders; in lieu of which payment we shall hereafter only have to pay, if this Bill passes quickly into law, 4 per cent on something like £4,500,000, or, say, £180,000. The rest of the money due to the stockholders being made up to them by the £7,500,000 or thereabouts of the Security Fund. Well, under these circumstances, I think the House will agree to let us have the £4,500,000 as well as the £1,000,000. So there is £5,500,000 accounted for out of the £8,000,000 for which I am asking. So far so good; but what do we want the other £2,500,000 for? I think I can easily show the House that in asking for this £2,500,000 the last thing we mean to do is to make an excessive demand upon the confidence of Parliament. So far from that being the case we might with the greatest ease have borrowed these £2,500,000, and more in this country, without coming to Parliament at all; because in 1869 Parliament gave us authority to borrow £8,000,000 for general purposes within the next three years, and we deliberately allowed our power of borrowing to expire when we had only borrowed £5,063,918. We did so because we disapproved of borrowing money merely to swell unnecessarily our cash balances, and we felt fully persuaded that Parliament, when we came before it with a reasonable proposal, would readily grant us the power of borrowing again. The net result of allowing us to borrow this £8,000,000 will then be this — we will have £5,500,000 borrowed at low interest to pay off £5,500,000 now entailing on us a very high interest, and £2,500,000 to be used as occasion may require—as a margin, in short—but certainly not to be spent for any unremunerative purpose. So that I think it is fair to say that we shall not, under this Bill, add anything to the yearly burden upon the Indian finances, but on the contrary, diminish that burden by about £500,000 per annum, and be it observed by £500,000 per annum which is payable at home and not in India—a very important consideration. The fact is, that when we are going into such a very large financial operation as that which is involved in redeeming the old East India Stock it is very desirable that we should have our hands as free as possible; and the financial authorities of the House will, I am sure, support me when I say that we might quite reasonably ask for a larger margin than £2,500,000. Nay, we should certainly have to do so if we had not already the power to raise £1,000,000, so as to have a margin of £3,500,000 in all. I need not say that it is absolutely necessary for the Secretary of State always to have a considerable margin if it were only because at any moment we might not be able to sell our bills on India profitably, and might at once have to borrow. A great deal has been said by the hon. Member for Brighton against those public works for which we pay out of borrowed money. Now I maintain that one of the most unhappy characteristics of our rule in India is the constant change of opinion in influential circles at home about important questions. Such is the ebb and flow of rival exaggerations on Indian matters that in one decade we are denounced in this House as unlikely to leave anything in India except pyramids of beer bottles, while in the next we are assured that we are hopelessly impoverishing the country by our railway and irrigation works. To-day the cry is all against public works, and the hon. Gentleman is its mouthpiece; but first let an unfavourable season bring another famine, and if not he himself then some one else will denounce a niggardly Government which not only neglects that development of India which is its bounden duty, but actually lets the people committed to its charge die by myriads rather than take the money which English capitalists are only too happy to offer at 4 per cent. The Government of India has been long doing its best to steer between these rival exaggerations, and while it is continually taking greater and greater securities for the judicious and profitable investment of the money which it borrows for public works, it trusts to this House to protect it from so great a calamity as having altogether to suspend those public works which cannot be made without borrowed money. Now, as to inserting in the Bill any statement as to the purpose to which it is proposed to devote the money. Such statements are very appropriate to speeches made by the Member of the Government in charge of the Bill, but are not appropriate to the Bill itself, being liable, as I have shown, to be varied by circumstances, for £2,500,000 out of the £8,000,000 we borrow avowedly to have a margin. As for a portion of this loan, or any other, being used as ordinary revenue, that is an idea which may be dismissed from the mind in the present state of affairs in India. Dark days may come upon that country, as they have come before, and the expenses of the year may have to be defrayed out of loans, as they were, for instance, in the time of the Mutiny; but in such a case necessity would have no law, and the true security which Parliament has against anything being done wrong in matters of Indian financial administration, as in matters of English financial administration, is its power of censuring the Government or the Minister under whose authority the censurable act has been committed. I have only to add, in conclusion, that it is a matter of very great importance that we should be enabled to get this Bill through Parliament as quickly as possible, and I trust that the hon. Member, after receiving the explanation which I have given, will not desire further to obstruct its progress. I repeat, in conclusion, that we are asking simply to be allowed to borrow £5,500,000 at low interest, with which to pay off £5,500,000 at high interest; and, further, to be allowed to borrow £2,500,000, which we had authority from the Legislature to borrow last year if we had thought it financially expedient so to do.

Sir STAFFORD NORTHCOTE hoped the hon. Member for Brighton (Mr. Fawcett) would not further impede the progress of the Bill, the object of which was to facilitate operations that would be beneficial to India. At the same time it was only natural that the hon. Member should have sought the satisfactory explanations which had been offered.

Mr. CANDLISH thought his hon. Friend the Member for Brighton (Mr. Fawcett) was entirely justified in the observations he had made on this Bill, and if he divided he would support his Resolution.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 88; Noes 46: Majority 42.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

Bill *considered* in Committee.

Committee report Progress; to sit again upon *Thursday*.

WOODS AND FORESTS BILL.

On Motion of Mr. William Henry Gladstone, Bill for making provision as to certain portions of Her Majesty's Woods, Forests, and Land Revenues; and for other purposes relating thereto, *ordered* to be brought in by Mr. William Henry Gladstone and Mr. Baxter.

Bill *presented*, and read the first time. [Bill 140.]

House adjourned at a quarter after Two o'clock.

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HOUSE OF LORDS,

Tuesday, 29th April, 1873.

MINUTES.]—Public Bills—*First Reading*—Fulford Chapel Marriages Legalization * (82); Canonries * (83); Railway and Canal Traffic * (84); Land Titles and Transfer (85); Real Property Limitation * (86).

Second Reading—East India Stock Dividend Redemption (67).

Committee — Report — New Zealand Roads, &c. Loan Act (1870) Amendment * (76).

Report—Marriages (Ireland) * (75).

Third Reading—Portpatrick Harbour * (71), and *passed.*

EAST INDIA STOCK DIVIDEND REDEMPTION BILL—(No. 67.)

(*The Duke of Argyll.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Lord CAIRNS presented a Petition of the East India Company, praying to be heard by counsel against the Bill.

The Duke of ARGYLL, in moving that the Bill be now read the second time, said, that although the East India Company was now only a shadow, it continued still a heavy burden on the Government of India; and this measure had been introduced for the purpose of bringing to its ultimate conclusion the arrangement made 40 years ago—in 1833—when the commercial character of the Company was abolished. The East India Company's Charter Act of that year provided that the capital stock of the Company might be redeemed by Parliament, at the expiry of 40 years, by the payment of £200 for every £100 stock, and in the meanwhile secured to the proprietors payment of interest at the rate of £10 10*s*. per annum. It also provided that 12 months' notice, in writing, signified by the Speaker of the House of Commons, by the Order of the House, should be given to the Company of the intention of Parliament to redeem the debt. The 40 years would expire next year, and already the Speaker of the House of Commons, in pursuance of that provision of the Act, had given notice that the stock would be paid off. The Bill contained the necessary enactments for the purpose. It provided that the dividends and capital stock might be presently redeemed or commuted upon terms to be arranged between the Secretary of State for India and the respective proprietors; and that such proprietors as should not assent to commute should on the 30th April, 1874, be paid off, receiving £200 for every £100 stock. As it was well known that when the time specified by the Act should have expired this would be done, he could not understand how it was that any surprise should be expressed at the introduction of the necessary Bill. The Bill was, to all intents and purposes, a matter of course—and as such it had been received and dealt with by the House of Commons. Nevertheless, during the passage of the Bill through the other House objections were raised by the agents of the East India Company, who desired some Amendments, for the better security, as they supposed, of the stockholders. Some of their proposals had been accepted by the Government, and were contained in the Bill now before their Lordships. The Bill provided that all redemption money, in respect of stock and dividends which should remain unclaimed for 10 years after the 10th of April, 1874, should be transferred to the Secretary of State in Council, and should be by him held or applied as part of the revenues of India, subject to the claims of the parties entitled thereto. The arrangement proposed by this Bill had been already discounted by the Viceroy of India, who calculated that paying off the East India Company would be a saving to the extent of £450,000 per annum to the Exchequer of our Indian Empire. There was another clause which referred to a matter of the greatest interest. As he had already said, the commercial character of the East India Company was put an end to by the Act of 1833; the power and authority of the Company—much diminished by previous enactments—was dissolved by the Act of 1858, and the Government of India transferred to the Crown. The present Bill would put an end to the last purpose of its existence, and it was difficult to perceive what object there could be in prolonging a nominal existence—it was the shadow of a shade. The 36th clause, therefore, enacted that on the 1st day of June, 1874, the powers of the East India Company should cease, and the said Company should be dissolved. If the noble and learned Lord who had presented the Petition from the East India Company (Lord Cairns), praying to be heard against this Bill, thought it desirable that it should be referred to a Select Committee, he (the Duke of Argyll) was willing to consent to that course; but he did so solely on the ground that the inquiry might elicit further information useful to their Lordships, or suggest Amendments which would facilitate the carrying out of the Bill; but he held that the Company not being a commercial company had no *locus standi* before a Committee, their commercial character had been put an end to 40 years ago, and this Bill merely provided legislative means by which the financial arrangements at that time enacted could be carried into effect.

Moved, "That the Bill be now read 2ª."

Motion *agreed to:* Bill read 2ª acordingly, and *committed* to a Committee of the Whole House on *Friday* next.

LAND TITLES AND TRANSFER.

BILL PRESENTED. FIRST READING.

THE LORD CHANCELLOR: My Lords, in calling your Lordships' attention to the state of the law relating to the title of land and the transfer of land I know that I am addressing an Assembly which has a great interest in the matter, and the majority of whose Members must have a very considerable practical knowledge of the evils which any improvements of the law on this subject would be intended to remove. I therefore feel that, in travelling over the ground which to some extent I must traverse in introducing the measures which I have to propose to your Lordships, I shall be going over a route more or less familiar to all those who have given any attention to the matter—and include in that number most, if not all, of your Lordships. I may consequently feel warranted in touching some points with that comparative brevity which is allowable when one is addressing those to whom the subject in hand is not altogether strange. My Lords, most of your Lordships are owners of land, and nearly all owners of land, on some occasion or other, buy or sell land. Most of your Lordships may have had occasion both to buy and to sell, and therefore know something of the nature of the titles by which land in this country is held, and the process which has to be gone through when a transfer of land is proposed. I shall not, therefore, deem it necessary to do more than simply to point out the condition in which the law is, and what steps have been proposed from time to time to improve upon the existing system. In 1859 my noble and learned Friend (Lord Cairns) took a leading part in respect of a measure for remedying evils affecting the present system of land conveyance, which he described in a manner which I cannot attempt to rival. The effort then made by him marked an epoch in the history of this question. A cumbersome, dangerous, and expensive process has to be gone into upon every occasion when there are to be dealings with land. First of all you must have a contract; and, in making a contract there are innumerable pitfalls, so that if a man have not all his wits about him, and do not very carefully guard himself against difficulties, he may make a contract which subsequently he may find himself unable to perform, and any attempt to perform which may possibly involve him in questions which may entail infinite trouble and pecuniary loss, and, perhaps, even raise questions as to his title. The next step is the abstract. This is a very formidable matter. The abstract must contain the whole title concisely as regards every dealing, while as a whole the document is anything but concise, because if the contract is to give the purchaser a perfectly good title, the abstract must go back for 60 years; and all the transactions, all the deeds, all the charges, all the mortgages, all the family settlements, and all the devolutions and descents for that period have to be deduced. Next there is the examination of all deeds, and searches have to be made in public offices to find out every charge that affects the lands. Then there are all the objections that practised legal intellects can devise. All those objections have to be answered, much time is occupied, questions of doubt and difficulty arise, litigation not unfrequently ensues; and as a final result very large costs are incurred, even if no dangers in respect of the title have been discovered during the process of objection and inquiry. I cannot compare this system to anything better than to what a surgeon does when he amputates a limb. As he has to take up every vein and tie them all one after another, so the conveyancer has to deal with all the points, difficulties, and questions which arise in the course of tracing these titles. Some persons might, perhaps, suppose that if what I have been describing in respect of land has been done once, it has been done for ever. But this is not so. It has all to be done over again whenever the owner for the time being mortgages, or sells. The difficulty, delay, danger, and expense which beset the owner every time he attempts to deal with his landed property are not only injurious to him, but operate as a serious obstruction to the commercial transactions in land. Long ago—though not longer ago than most of us who are not very young can remember—it struck some reformers that an improvement on this system was not only most desirable, but would be of great public advantage—that there were other kinds of property which were dealt with in a very different manner, and with a facility, simplicity, and absence of expense which, if they could possibly be applied to dealings with land, must greatly enhance its value. It struck them that, as in the sale of stocks in the public funds, shares in public companies, and shipping, there were no deductions of title, no abstracts, no objections, no requisitions, no suits for specific performance, and no long bills of costs coming after, but only a simple entry in a public Registry, it was worthy of consideration whether, while recognizing the difference between the nature of the things themselves, it might not be possible to establish approximately the same simple system in the case of dealings with land. And I think, my Lords, I may say that all who have carefully inquired into the subject have come to the conclusion that, though you cannot in every respect come to an identity of system in dealing with these different kinds of property, you can approach very nearly to such a result. The real points of difference in the things themselves are these. When you are dealing with stocks in the public funds or shares in public companies, you are dealing with abstractions — with aliquot parts which bear an arithmetical proportion to the whole thing, which is a homogeneous whole, capable of subdivision, but no particular part having a value greater or less than another; and which no one can possess in specie. It is easy to deal with abstractions such as these. You can do so by simple book-keeping. It is not quite the same thing with ships. A ship is a specific thing—it is a real thing, and so far it is more like land than stock or a share; but while one ship differs from another, and one is of different value from another, each ship is a unit in itself, all the parts of it contributing to the use and value of all the others; and though you may fix on particular parts into which it may be divided, all parties having an interest in the ship have it in her as a whole, and none of them have a separate interest in any particular part; and it is therefore capable of subdivision, so that you can fix upon a certain numerical quotient by which the interest can be divided among any number of owners, so that, after all, it will be found that property in shipping is not very dissimilar to that in public funds or in shares in public companies. But there is this difference in land — that each particular part of the land has its own particular qualities, and is therefore capable of specific subdivision. There is not a uniformity of value throughout the land, and each person entitled to a portion of it desires to possess that portion as a specific thing. These distinctions exist in the nature of the several things; but, allowing for these differences, there is no reason why an attempt should not be made to approach, in respect of dealings with land, that simplicity and facility which exist in respect of the transfer of stocks, shares, and ships. Before I advert to the history of the question—its political and Parliamentary history—I wish to say something with reference to public interests as distinct from those which are private. I do not agree with some theories of which I have heard and read with respect to the possession of land. The possibility of a universal or general distribution of land among the citizens of any country I regard as out of the question. In my opinion such a scheme is altogether delusive—it is a mere chimera, which could never be realized; and if it could be realized I much doubt if its results would be satisfactory. But, setting aside all such sublime and visionary notions, I think it is most true, that it is for the interest of the community to facilitate to the greatest extent dealings with land—to facilitate the acquisition of land by all who may desire to acquire it and have the means to do so, be they rich or poor, great or small. The public have a very clear interest in facilitating all kinds of dealing with all articles of value on which the wealth of the nation depends; and as land is the basis of all property, in one shape or another, there cannot be any doubt that to facilitate commerce in land is as important to the public as to facilitate commerce in any other kind of property. This was felt long ago, and steps were taken to work out these interesting and important problems. Without dwelling on what Mr. Stewart, Mr. Wilson, and other legal gentlemen wished to accomplish, I may refer to the effort made in 1853 by Mr. Henry Drummond and Mr. Headlam, who in that year prepared a short Bill on the subject. This was followed in 1854 by the appointment of a Royal Commission, composed of eminent men, who took three years to consider the matter, and reported in 1857. In their Report they stated that the problem to be solved was how, consistently with the preservation of existing rights, we could obtain such a system of registration as would enable the owners of land to deal with it in as easy and simple a manner, as far as title is concerned, as we could now deal with moveable chattels or stock. The Commission thought it was practicable to obtain this object, and to approximate very nearly to the simplicity that belongs to a transfer of stocks, or shares, or ships. In recommending means to carry out this object the Commissioners stated that the principle of simplicity must be kept in view, and that they must deal only with those interests which are simple in their legal character, and at the same time subjects of commercial contract. They proposed that only fee simple estates, leases, charges, and mortgages should be placed on the Register, and that none of the other complicated modifications of property which have sprung up under our real property law should be placed upon it. They proposed that when once these interests came upon the Register they should always remain on it, and should be capable of being transferred only by a simple form of transfer on the Register itself, and that those persons who had unregistered interests might save them by *caveats*, which would entitle them to notice before any dealing with the registered title was permitted. Your Lordships know that stock always stands in the name of some person, and in ordinary cases that person has an unlimited power to transfer the stock standing in his name and to give a good title to the person to whom it is transferred; but if the stock is held in trust by the person in whose name it stands, the beneficial owner may have a *distringas*, which will entitle him to 14 days' notice in case of an intention to transfer the stock by the person in whose name it stands. If within those 14 days the beneficial owner takes no steps to prevent the transfer, the person to whom it is transferred by the nominal owner obtains—assuming there to be no fraud—a good title in equity as well as in law. The Commissioners proposed a *caveat* in the case of land somewhat similar to the *distringas* in the case of stock. The Commissioners also considered the question whether the Register should be open only to titles which had been examined and proved to be unimpeachably good, or to all under which property was held by persons claiming to be in the position of owners of fee simple in land. They came to the conclusion that it was indispensable that it should be an open or unfettered registry, and that all persons in that position should, without any inquiry into the title, be enabled to register. Of course, in the case of titles which were not investigated, they would notwithstanding the registration be subject to all outstanding claims which other persons might be entitled to set up in point of law—they would not thereby be made indefeasible, but they would be dealt with only on the Register; and after the lapse of a certain period the registered title would become evidence of so high a character as to exclude all prior and competing claims. Those owners of land who wished to have their titles examined and placed on the Register as ascertained and guaranteed titles were to be at liberty to do so, and machinery was proposed for such examination. The Commissioners also recommended a guarantee fund, but that recommendation has not been followed in any of the Bills based on their Report. It has, however, been adopted in the Australian Colonies, though I do not know that in practice resort has often been had to the fund. All who have considered this subject with a view to legislation have to acknowledge their obligations to the Royal Commissioners of 1857 for the contribution which that Commission made towards a solution of the problem. The next step after the Report of the Commission was taken in 1859 by my noble and learned Friend (Lord Cairns), who was at that time Solicitor General. The measure which he introduced in that year may be described as one, though it was contained in two Bills—one for the clearance of title, and the other for registering the title so cleared. My noble and learned Friend departed in one or two points from the recommendations of the Royal Commissioners. He did not propose to register any titles but those which had been investigated and found good. The mode in which he proposed to investigate titles was also different from that suggested by the Commissioners—the Royal Commissioners had in view an investigation by a Registrar; but my noble and learned Friend proposed that it should be made by some such tribunal as the Landed Estates Court which exists in Ireland. My noble and learned Friend did not propose, even when the title was investigated, to give an indefeasible title to the person who obtained the registry, but only to any person who purchased from him for valuable consideration; so that the owner effecting a registration would have no better title than before, unless he went into the market and sold the estate. The Bills of my noble and learned Friend were interrupted—and I think it is to be regretted that they were interrupted—by one of those political events by which the best measures are sometimes liable to suffer. There was a Dissolution of Parliament and a change of Ministry, and the Bills were not again brought forward. But in 1862 Lord Westbury and Lord Cranworth introduced two other Bills, both of which became law. They were intended to accomplish the same object, though in different ways. Under Lord Westbury's Act the investigation was to be by a Registrar; under Lord Cranworth's it was to be through the medium of the Court of Chancery; but the object of both Bills was the same. Lord Westbury's Bill contained a clause, intended to authorize registration without an indefeasible title; but it was fettered with conditions almost as onerous as if the title were to be guaranteed; so that, practically, by neither of these Bills was any provision made for that larger and more unfettered registration of title which the Commissioners recommended. In Lord Westbury's Bill in the case of indefeasible registry strict proof of title was required, and this part of the Bill was encumbered by conditions so stringent as to render its general adoption impracticable. Lord Westbury's general plan aimed at what, if practicable, offered considerable attractions; because by it not only fee simple and leaseholds, but every species of interest in the land was attempted to be made commercially marketable; but, as I have stated, the strictness of proof, rendered necessary in order to obtain an indefeasible title, was greater than under the ordinary conditions of English titles it was possible to obtain—the title required to be made out was such as the Court of Chancery could compel a purchaser to take who had bought in open market. In like manner Lord Westbury's Bill required that in every case notices should be affixed on the land, and that not only all persons who had interests in the land themselves but all persons who had interest in the adjoining properties should have notice, in order that they might come forward and be present at the settlement of the boundary of the estates. Notices of this kind may often raise dormant questions of difficulty, and may lead to litigation, and this has been felt to be a serious obstacle to the working of the measure. In short, this system, as the event has proved, is encumbered by conditions so difficult and so severe, as to take away the inducements from the owners of property to avail themselves of it. Under Lord Westbury's Bill all kinds of assurances might be registered; and there was also this peculiar feature in the plan—that when land was once on the registry it need not of necessity remain there, because power was given to any owner who had placed his land on the registry to take it off again. In 1865 there was passed for Ireland an Act which in many respects was like Lord Westbury's, but which contains some provisions founded principally on the experience which had been obtained in the Colonies. And here I should like to state to your Lordships something about what has been done in the Colonies. The Australian Colonies have adopted legislation founded on the recommendations, and perhaps in some respects on the Report of the Royal Commissioners appointed in 1857. Sir Robert Torrens may be, I think, regarded as a public benefactor to those colonies in respect of the efforts he made for the introduction of this system. The first colony to adopt the new system was South Australia in 1861; New South Wales in 1862; next came Tasmania in the same or the following year. Victoria followed in 1866, and New Zealand in 1870. The main difference between the scheme at work in those colonies and that recommended by the Royal Commissioners is this—that the Colonial Acts followed the plan proposed by my noble and learned Friend (Lord Cairns) in 1859, inasmuch as they do not admit any title to the registry without examination. An indefeasible title is guaranteed in every case, but only after an examination. Therefore, the registry is not generally accessible, but accessible only to those who are willing to go through a careful examination of their titles. There are other points on which the Colonial differ from the English Acts. They do not follow Lord Westbury's Act, but rather the Bill of my noble and learned Friend (Lord Cairns) and the recommendations of the Royal Commissioners. There is one important provision in the Colonial Acts to which I should call the attention of your Lordships. It is this—that the rights of persons actually in possession of land are saved, so as not to be affected by the registry. I will not go into questions of detail. There are some things which I have thought it right to adopt in consequence of the experience of the working of the Colonial Acts, but these chiefly relate to matters too technical to be dealt with in a statement such as I am making to your Lordships. I believe, my Lords, I may say that these measures have been completely successful in the Australian Colonies, and that the results have been of a most satisfactory character. It is stated that in Melbourne and, I believe, in almost an equal degree throughout those Colonies, the success has been perfect, and that the Acts enable persons, often without the intervention of attorneys or solicitors, for only a few shillings and with wonderful despatch and facility, to transfer large estates. It has been asked why, as the Australian Colonies have adopted this system, we should not put ourselves in an equally advantageous position. But it is not to be expected that an old country like England can put herself exactly in as advantageous position in this respect as new countries like the Australian Colonies. The Australian Colonies have considerable advantages in respect to title to land which we do not possess; but I want to point out that the experience of the Australian Colonies does prove two things which are equally applicable here—first, the great public benefit and the great private benefit which arise from a ready transfer of land; and, secondly, that whenever such a change as has been there effected is well established here we shall want time only to get out of the groove in which our English system has placed us, and have a system of title which can be worked with facility, simplicity, and cheapness. The advantage possessed by the Australian Colonies is that they have not to struggle with the traditional difficulties and perplexities in which our titles, being of a much more ancient date, are involved. In this country a sixty years' title is a thing which almost everybody who sells land guards against being obliged to prove; and almost everybody who buys land is content to take a great deal less. This difficulty did not exist to any great extent in Australia, and, consequently, to fulfil of the requirement of proving an absolutely marketable title was, comparatively speaking, easy. These are the main causes which have contributed to the success of the system in Australia. I now come to the inquiry which has recently been made into the working of the legislation of 1862 in this country. First of all, I may state what has been the operation of the statutes passed in 1862. The Commissioners, appointed in 1867, reported in 1869. I find that in the period over which the evidence taken by them extends, from the 15th of October, 1862, when the Registrar under Lord Westbury's Act was appointed, to the 9th of January, 1869—a period of six and a half years—there were 547 applications to have estates registered, in all cases with indefeasible titles. Of these, 274 estates had actually been so registered, the aggregate value of which is stated in the evidence at £3,550,761, and other titles had been accepted *ad interim*, although not perfected, comprising 75 estates of the value of £885,590. Adding these figures, the registered and accepted titles were at that time 349, and the value of the land under them £4,439,351. Besides these, there were 54 other applications pending at the time that Return was made. We have not got the acreage of the entire quantity, but the acreage of what was valued at £4,068, 372 was 39,911 acres, exclusive of buildings. Subsequent dealings with the land are thus stated—there had been transfers and mortgages completed, 968, amounting in value to £2,362,974, and pending, 81—in all, 1,049. There were 585 separate estates on the Register, and in ten instances persons who had registered had been so much dissatisfied with the result that they removed their estates from it. The Commissioners took the evidence of experienced solicitors and others who had tried the Register, and collected other information; they also had the evidence of the Registrar, and of the officers who assisted him in the Office. Before I state the effect of that evidence, I may say that, although the quantity of land I have mentioned, and the value, is by no means unimportant, yet, looking to the number of years over which the operation of the Act has extended and the whole area and value of the landed estates in this country, the utility of the Act has fallen very far short of what every one must desire who wishes to see a really general and valuable simplification of title and facility of transfer. The evidence enables us to understand what are the real causes of the comparative want of success of that system. Some persons have supposed that the system is unpopular with the legal profession for reasons not of a public kind. The whole evidence taken by the Commission went to negative that supposition, and tended to show, I believe, on good grounds, that if the legal profession generally were once satisfied that the system was safe for their clients and convenient to be worked, they would be by no means indisposed to assist in bringing it into operation; but, of course, if they were satisfied that the tests to which titles were subjected and the operations which had to be gone through to get them authenticated were of such a kind as might possibly endanger titles—might bring forward and expose any latent defects, might lead to litigation, and cause an amount of trouble and expense without facilitating future transactions in a degree necessary to obtain the desired advantage—no one could blame them for any dislike to the system which they had shown. The main cause of failure was, that to get on the Register the title must be a strictly marketable title, such as the Court of Chancery would compel an unwilling purchaser to accept—or, in other words, a 60 years' title, The result is to exclude the great majority of titles if you require strict proof of that kind; and, therefore, you must relax it in some way or other, if you really intend the system to become of general utility and in general operation. There is a good deal of evidence to show that the notices as to boundaries, provoking questions between adjoining proprietors, were disliked, were the subject of fear and uneasiness on the part of some who otherwise might have registered their lands, and in some cases did actually lead to the revival of dormant claims and active litigation. Then it was also the opinion of some solicitors, and of the Registrars themselves, that the provision which required that all the several interests from time to time created should be put upon the Register was, and would more and more become, cumbersome and inconvenient, and that if a good system were to be introduced, it would be necessary to revert to the original recommendation of the Commission of 1857 and confine it to the register of simple titles—that is, fee-simple titles. In substance they advised a return to the principles of the Report of 1857. Two things, above all, they they recommended—first, that any person claiming a fee-simple or a power to dispose of the fee should be enabled to present his title for registration, and that the recency of the date should be no objection, precaution being taken against bringing in merely fictitious titles by requiring affidavits and notices or inquiries on the spot, but the title being investigated only as from the date to which the owner desired to have his title fixed; and, second, whatever might be the period of investigation, that the Registrar should be empowered to accept titles commonly known as good titles, though not technically marketable. These I may call their cardinal recommendations. They also recommended that lands once on the Register should not be permitted to be taken off, and that all transfers should be on the Register. At the same time they recommended that the Acts of Lord Westbury passed should still remain in operation in favour of such as might wish to acquire an indefeasible or Parliamentary title. A Bill was laid on the Table of your Lordships' House in 1870 by my noble and learned Friend (Lord Hatherley) but it was not proceeded with. It did not in all points follow the recommendations of the Commissioners, though it did adopt several of the most important of them.

I will now proceed to state the substance of the measures which I shall have the honour to lay on your Lordships' Table. I propose to revert to the recommendations of the Commissioners of 1857 on these main points. First of all, to permit and, as your Lordships will see hereafter, to some extent to require an unfettered registry of all existing fee-simple titles under such safeguards merely against fictitious claims as the Commissioners of 1869 recommended. Secondly, to allow them all to be registered without any certificate of title, unless the parties seeking registration desire to have certified titles; but, at the same time, it is proposed to give all persons the option if they think fit to apply for registration with certified titles. It is proposed that in all cases the registered estates should be either fee-simple estates, or leases, or charges, and that all other trusts or similar interests should be protected as it was proposed to protect them in 1859 by notices or *caveats*, but that they should not be entered in the Register. It is proposed that those interests once registered should in every case carry with them an absolute power of sale, no notice of trusts in the absence of fraud being a bar to the purchaser, and that they should never afterwards be withdrawn from the Register. A very important part of the provisions of this Bill consists in the option given to be registered with or without a certified title.

And here I should like to put your Lordships in possession of the reasons which the Commissioners of 1857, or some of them, gave in favour of the main recommendation of their Report—namely, that titles should be registered without requiring that they should be indefeasible, or submitted to any other conditions than such as may test the *bona fides* of the application. They say—

> "We concur in the opinion of one of the witnesses who has given evidence before us that to make a judicial or *quasi*-judicial examination of title an indispensable preliminary to admission on the register would greatly narrow the benefits of registration. The expense alone of the examination would exclude nearly all small properties, and the trouble and expense combined would exclude many others. Defective titles would necessarily be excluded; and we do not see why a defect in the title to land, anterior to the introduction of registration, need deprive

that land of the benefit of an improved mode of transfer subsequently. We think that a registration founded on ostensible or possessing ownership should be permitted in the first instance; and that on such registration the antecedent title might be left to be the subject of investigation, until by lapse of time, or otherwise, that investigation should become unnecessary."

In the meantime the titles would be as good at least as they are at present, every year would tend to bring nearer the time at which the Register alone would be sufficient to prove the title, and every transfer from the Register would be unattended with at least a considerable portion of the present expense. I propose in this Bill to retain the substance, with some extension and enlargement, of the provisions of Lord Westbury's Act, and also of the Bill of my noble and learned Friend (Lord Cairns), which give the benefit of registry with an indefeasible title to titles under judicial sales, and in certain cases to titles ascertained by judicial proceedings. Following the recommendations of the Commissioners of 1869 and the precedents of most of the Australian Colonies, I propose not to require that questions of boundaries should in all cases be settled between registered owners and joint proprietors, and also not to make the Register conclusive in any case against persons who, not having had notice of the application, and not having intervened, shall be in actual possession of the land, or of any part of the land. I propose to proceed through the Register-office and not to establish any Court. I will not trouble your Lordships with any matters of mere machinery; but I come now to a very important part of the advantages which this Bill proposes to offer by means of registration to the owners of land for the greater security and clearance of their titles. I have said that an option would be given to register with or without a certified title. If without a certified title, the owner will not be obliged to submit his title to any retrospective investigation. All that the Registrar will have to do is to ascertain that there is such a state of possession as to show that the application is *bonâ fide* and not fictitious. But if a registered title is sought then it may be certified either as absolute or limited. The absolute title will not exclude everything, because there are some charges on land, such as tithe rent-charges, rights of way, easements, and so on, to which all the plans of Registration, both here and in the Colonies, have made the registered titles subject. An absolute title will be a title good, subject to those interests which are noted on the Register, and subject to that class of charges which I have just mentioned. A limited title will certify that from a particular date the title traced backwards has been sufficiently proved to be good. Everything prior to that date in the way of adverse claim will remain as before. But with that exception the title will be absolutely secure, and in the course of time it will become secure altogether. And in the case of a title not certified, or certified as limited, power will be given at any subsequent time, when the means of satisfying every possible requisition have been acquired, to obtain an absolute certificate. I confess I see no reason at all why registration by persons who do not want to sell their land should give them no immediate benefit, or why the benefit of a certified title should be postponed until they proceed to sell. If we wish to have a good working system we must, in my opinion, give the benefit of registration to the person who registers, and not postpone it until he sells his land. The next question is this, how are we to deal with the difficulty which has been pointed out by all the witnesses before the Commissioners — namely, the difficulty which is involved in the present requirement of a 60 years' title strictly made out? I propose to deal with it in accordance with the recommendations of the Report of 1869. It was foreseen, when the Commissioners of 1857 were inquiring into this matter, that unless some considerable helps and inducements towards the clearance of titles from doubts and difficulties, from outstanding claims, were afforded under the new system, it would probably fail. There is a passage in their Report to which experience has given weight, which with your Lordships' permission I will read. The Commissioners say—

"It has been strongly urged upon us that if the provisions of the Registry should operate upon the subsequent title only, and if the old title should be left open to investigation for the full period during which it is now liable to be affected by latent rights, the utility of the Registry would be wholly lost to the present generation. . . . . The question hence arises, whether the principal benefit of the proposed system, which is the avoiding the necessity for retrospective investigation of the title, may not be secured by fair and reasonable provisions at some period earlier than the full time when all possible claims existing anterior to the Registry would, by the existing law, have expired or become barred. We have been reminded (by Mr. Dobbs) that if the Legislature should adopt such a rule, it would be only following an analogy furnished by their predecessors. A statute of Henry VII. gave to a fine levied with proclamations, after five years, a conclusive effect. The proclamations were nevertheless in practice a mere fiction, and gave no real notice to others; and the period of five years was adopted at a time when communication was difficult and intercourse confined. . . . . It has been further urged (by Mr. Clifford Lloyd) that, if provision be made for the due publication of the registration, or the application to register, the registration ought to be allowed to attain its conclusive effect, after the lapse of some period shorter than is now required by the general Statutes of Limitation to extinguish dormant rights—in other words, that the title, if not impeached in a given time, say a short term of years, after the title is put upon the Register, and full notice of it published, might pass into an absolute and unimpeachable title, at least for the purpose of sale, and thus retrospective investigation of the title avoided, in the case of sale to a purchaser."

The Commissioners were not all agreed in opinion as to whether those views should or should not be adopted; but, with some difference of opinion, they concluded it was best to abstain for the present from any measure of that kind, allowing at the same time registration with a guaranteed title, but not in any way shortening the investigation of title. All available evidence tends to show, not only that something less that 60 years may safely be accepted, but that much shorter titles are practically accepted, in all the transactions of mankind. Mr. Drummond and Mr. Headlam in 1853 felt that what is commonly described as a "safe holding title" might be accepted; and it will be found in the Bill which I shall submit to your Lordships that its 32nd clause directs the Registrar to accept and certify as absolute a good holding title, according to which possession has been held for not less than 20 years under a conveyance for value made not less than 20 years back by some person claiming to be entitled to dispose of the fee-simple in the land. This will do no injustice to anyone who may think he has claims to an estate, because there is no sounder principle than that of limitation in favour of possession, and against dormant and long outstanding claims. Good and not evil will result from getting rid of dormant claims. The Bill, of course, proposes to reserve the existing remedies in all cases of fraud.

I also propose, my Lords, to go further, and to accompany this Bill with another much shorter, but hardly less important, designed to shorten the periods of limitation now allowed by law for bringing forward adverse claims to land. By the Statute passed in the 3 & 4 *Will.* IV., c. 27, a period of 20 years is given to any person dispossessed, and who is under no disability, to bring an action or suit for the recovery of land or rent. A like period is given in the case of land held under any disentailing assurance not effectual to bar remainder-men, commencing from the time when the person entitled under the entail was capable of effectually barring it. A like period is given to a mortgagor seeking to redeem as against a mortgagee in possession when there has been no acknowledgment within that time of the right to redeem. A like period is given to recover any legacy or principal sum of money charged upon any land when there has been within that time no acknowledgment of the subsistence of the charge and no payment of interest. It is proposed, in all these cases to shorten the period one half—to substitute the period of 10 years for 20. The longest period allowed by the recent Indian Act of 1859, in any corresponding case, is 12 years. I should state that these periods of limitation do not apply to all as between trustee and *cestui que trust*, and in case of concealed fraud the time only begins to run from the discovery of the fraud. There are two other provisions in the Bill dealing with similar matters. By the Act of William IV. a reversioner becoming entitled to possession after the tenant for life preceding him has been dispossessed is allowed the full period of 20 years from the time when his own right to possession accrues to bring his action or suit, however long the previous dispossession may have lasted; and it is possible, that by a succession of several life estates, perhaps created under resettlements made after the dispossession, successive rights of action for 20 years each might go on accruing in this way during an extremely long period of time. It is proposed to give any such reversioner either 10 years from the time when the preceding tenant for life was dispossessed, or five years from the time when he himself became entitled to the possession—whichever of those periods may be the longest—and no more. And, if the right of any one such reversioner is barred, it is proposed that the bar should also extend to any subsequent reversioner whose title is derived from any deed, will, or instrument executed or first taking effect after the original dispossession commenced. The other provision relates to another clause in the same Act of William IV., under which if any person is under any legal disability when his right of action accrues, five years are allowed from the time when that disability ceases, or from the time of his death, whichever first happens, for an action by him or by anyone claiming under him to recover land or rent, subsequent disabilities not being regarded; and the same effect is given to absence beyond the seas as to a legal disability. It is proposed to allow in such cases three years only from the cessation of the disability, instead of five. Three years are allowed for the same purpose by the corresponding provision of the Indian Act of 1859. Absence beyond the seas is no longer to be reckoned as equivalent to a disability. Upon the construction of 3 & 4 *Will.* IV., c. 27, it has been judicially held that the period of six years, limited by that Act for the recovery of arrears of interest on a mortgage or charge, does not apply if a term of years in the land has been vested and is still subsisting in a Trustee for the creditor as part of his security, although such Trustee may not have been in possession or in receipt of any interest whatever for a longer period than six years. It is proposed now to declare that the limitation of 10 years as to principal and six years as to interest shall henceforth apply in all such cases. It is proposed, in order that any persons having claims which would be barred by the shortened periods of limitation may have a full opportunity of prosecuting them before this Act comes into operation, to postpone its commencement till the 1st of January, 1876.

I have now to explain that I propose to make registration on every occasion of a sale of land in fee-simple compulsory after the lapse of two years from the commencement of the Act. Before sale, no one will be compelled to register a title or submit it for registration, but in each case when the land is sold the land will be brought on the Register. I need not say why it is desirable to make the system universal. The benefits are obvious, and certainly no harm will be done, because we do not propose to compel owners to submit titles for examination. I will mention only one other point of considerable importance before I sit down. In the case of lands held in trust the Trustees only will register, and the person for whose benefit the land is held will have nothing to do in the way of proof of title except to trace that title to the Trustee.

I will not trouble your Lordships with further details, I may say that great pains have been taken to perfect the machinery of the Bill, and I hope that what I have said will be enough to gain for the Bill your favourable consideration.

Bill to simplify Titles and facilitate the Transfer of Land, *presented* by *The Lord Chancellor.*

Lord ROMILLY said, he did not rise to discuss so large and complicated a subject, but he desired to point out that many of the proposals of his noble and learned Friend seemed to be taken from a Bill applicable to Ireland which he had the honour to introduce as Solicitor General in 1850—13 & 14 *Vict.* c. 72. That Act provided that great care should be taken with respect to maps, but a direction from the Treasury was necessary upon this point, and, as the direction was never given, the Act never came into practical operation.

Lord CAIRNS said, he was glad that the subject of the registration of titles and the simplification of the transfer of land, after being allowed to slumber for several years, had been taken in hand by his noble and learned Friend. No doubt the measure or measures which his noble and learned Friend had now laid on the Table would meet with the fullest consideration; and he hoped that in some form they might become law, and enable the land of this country to be dealt with with much greater facility than it had hitherto been. Of course, it would be impossible at present to express any opinion upon the details of the measure which his noble and learned Friend had explained; and he only rose for the purpose of saying that it appeared to him most essential that a proposal of this kind, abounding as it did in details, should be a considerable time, not merely before the House, but before the country. It would have to be examined with great care in all parts of the country by those who were in the habit of dealing with land; and though he should be glad to see reasonable progress made with it, he feared there was not much prospect of its receiving the sanction of Parliament during the present Session. At all events, he hoped that an ample period would be allowed before the Bill or Bills were read a second time, and he suggested that not less than a month should intervene before the second reading.

Lord HATHERLEY said, that if his noble and learned Friend were able to carry his present proposals he would remove a great blot from the land laws of this country, which were of a most discreditable character. Throughout the civilized world there had not for a long time been any civilized nation which did not possess a general system for the registration of land. In this country we did not possess such a system, and though attempts had been made to introduce one, such attempts had not proved very successful. He trusted that his noble and learned Friend would prove more successful. On this subject two points of considerable practical difficulty had always arisen in this country, though they were not insuperable. The first was the length of time required for the perfection of title—the result of which was that, largely as proprietors of land were interested in this question, it had been extremely difficult to create in the public mind sufficient interest to carry a Bill through the Legislature. If you produced a measure which would have no considerable effect for 60 years, few persons would take a lively interest in it; and the difficulty would still be felt even if the time were limited. A second practical difficulty had always arisen with regard to the parcels, not only in tracing the title, but in attaching that title to specific portions of land. The question of a map or no map had been a long litigated question among reformers of the land laws. He did not understand clearly whether his noble and learned Friend intended to have a map of the land or a simple description.

The LORD CHANCELLOR, referring to the remarks of his noble and learned Friend (Lord Romilly), said, he had

not, perhaps, directed his attention so much to the history of this question in Ireland as he should have done, and had, therefore, not referred to the particular Act which had been mentioned, and which appeared not to have produced the effect anticipated from it; but no doubt the present Bill was based on the same principle as that of the Bill introduced by his noble and learned Friend when Solicitor General. In answer to his noble and learned Friend who had just sat down (Lord Hatherley), he did contemplate the introduction of a map as a rule; though there would be some cases, as for instance cases of incorporeal hereditaments, to which maps would not be applicable.

Bill read 1ª; and to be *printed* (No. 85.)

Then—

Real Property Limitation Bill [H.L.]—A Bill for the further limitation of Actions and Suits relating to Real Property—Was *presented* by The Lord Chancellor; read 1ª. (No. 86.)

FULFORD CHAPEL MARRIAGES LEGALIZATION BILL [H.L.]

A Bill for legalizing marriages solemnized in Fulford Chapel in the parish of Stone, Staffordshire—Was *presented* by The Lord Bishop of Chichester; read 1ª. (No. 82.)

House adjourned at a quarter past Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 29th April, 1873.

MINUTES.]—Select Committee—Wild Birds Protection, *appointed;* Locomotives on Roads, *appointed;* Divorce Bills, *nominated;* Juries (Ireland), Lord Claud Hamilton *discharged,* Colonel Forde *added.*

Public Bills—*Ordered—First Reading*—Building Societies (No. 2) [141]; Prison Officers Superannuation (Ireland) * [142].

Committee—Municipal Officers Superannuation * [6]—R.P.

Third Reading — Gas and Water Provisional Orders * [126], and *passed.*

METROPOLIS—THE GREEN PARK.

QUESTION.

Mr. BRADY asked the First Commissioner of Works, If his attention has been directed to an article in the "Times" of the 28th instant, extracted from the "Pall Mall Gazette," in which it is asserted that a "painful rumour is afloat" to the effect that he contemplates the erection of a row of houses in the Green Park, facing Piccadilly, and whether there is any grounds for such a statement?

Mr. AYRTON: My attention, Sir, has been called to the paragraph by the hon. Member's Question. I do not think it expedient to call attention to such a paragraph, my opinion being that it would be better to adhere to what I have always understood to be the practice of this House—that no hon. Member should bring any subject under its notice unless there were reasonable grounds for so doing. Now, in my opinion, a paragraph in a newspaper is not a reasonable ground, and for this reason—no persons are more liable to be imposed upon by those who write falsehoods, either for pleasure or for profit, than the managers of newspapers, because they have an idea that they ought to preserve confidence and keep secret the names of persons who libel others, and deceive the public by such communications. I can only say, in reference to the particular paragaph referred to, that it is entirely false, as I have no doubt the writer of it very well knew.

ARMY—MILITIA SURGEONS.

QUESTION.

Mr. D. DALRYMPLE asked the Secretary of State for War, Whether, the Militia Surgeons by the recent regulations having lost the principal part of their pay and allowances, any general rule has been laid down for compensating them, or will each individual case be considered upon its own merits?

Mr. CAMPBELL-BANNERMAN, in reply, said, it was true that under the operation of recent regulations Militia surgeons might, in some cases, find their emoluments diminished. No rule however had been laid down which recognized a right on their part to compensation, nor had any promise been given beyond this—that if any claim were preferred for compensation, it would receive due consideration.

NAVY—"BRITANNIA" TRAINING SHIP.

QUESTIONS.

Mr. C. DALRYMPLE asked the First Lord of the Admiralty, Whether it is his intention to extend the time for admission into the "Britannia" training ship, by allowing candidates for the Navy to undergo the needful examination up to the age of fifteen, or to what other age beyond the present limit of thirteen; and, whether any regulations have been made by the Admiralty on the subject?

Mr. GOSCHEN: Sir, very great difficulties have occurred to prevent the execution of the plan which I sketched last year with regard to the Regulations for the admission of naval cadets. I have been extremely desirous to raise the age of entry, so as to secure that candidates for the Navy should remain for as long a time as possible at the general schools to which the majority of English boys are sent, and not begin too early a special technical education. This, I should add, I was anxious to effect without infringing in any degree on the time required for the acquisition of seamanship. The plan involved the abolition of the stationary training ship the *Britannia*, where cadets are now trained between the ages of 13 and 15, as all were agreed that it was undesirable to coop up upwards of 100 boys over the age of 15 in a stationary training ship. One of the main difficulties which have baffled us has been how to prevent boys from being taken away from the public schools and sent to special schools; for that boys should receive nothing but a special and technical education at private schools would have been as open to objection, and even more so, than the present system. There have been other serious difficulties, too, on which I will not now dilate. At the same time, the *Britannia* has been certainly turning out a good set of cadets. Under these circumstances I have come to the conclusion to press the experiment of taking older boys on a limited scale only, and to retain the *Britannia* for the majority of the cadets, fixing the age for the *Britannia* at 12 to 13½. I had hoped to have been able to announce simultaneously the Regulations made for the entries into the *Britannia* and the Regulations for the entries of the older boys; but as the scheme with regard to the latter, who in any case would not be admitted till near the end of the year, is not yet sufficiently settled, we do not like to delay any longer the publication of Regulations affecting the former. I am therefore glad of the opportunity of stating that an examination for entries into the *Britannia* will be held in June. The Regulations will not differ materially from those hitherto in force; but I may add that, both as regards the *Britannia* and boys entering at a later age, we shall endeavour so to arrange the examination that boys from the best schools should have a good chance, removing, as far as possible, the inducements to parents to interrupt the usual course of their sons' education. As regards boys successful at the examinations, we should be glad to get them from a variety of schools. As regards unsuccessful boys, we should be glad to spare the parents the additional disappointment of having fruitlessly changed the course of education which their sons would otherwise have followed.

LORD ELCHO inquired, Whether the Regulations respecting the older boys were likely to be agreed upon before the close of the Session; and, if so, whether they would be laid upon the Table of the House?

MR. GOSCHEN: I trust the Regulations will be ready before the close of the Session. I should add that delay is so far immaterial that no candidates of the older class would, in any case, be admitted until the end of the year. I mention this because I do not wish to make a statement which might induce parents to remove boys from the special schools where they are now receiving their education.

POST OFFICE—TELEGRAMS IN FRENCH.—QUESTION.

COLONEL BOURNE asked the Postmaster General, Whether Postmasters in particular offices have the power of charging a different rate for telegrams sent in the French language to any part of the United Kingdom, to those in English; and, whether a Postmaster is justified in charging for such telegrams at the rate of one shilling per twenty syllables instead of one shilling per twenty words; and, if so, the grounds on which such special charge is made?

MR. MONSELL, in reply, said, that the practice referred to was that of the old Telegraph Companies, and it had been discontinued at every Telegraph Office in the United Kingdom since the 17th of February last.

DOMINION OF CANADA—MANITOBA. QUESTION.

SIR STAFFORD NORTHCOTE wished to know, Whether the Colonial Office had received any intelligence with respect to a rather startling piece of telegraphic information, to the effect that there had been a collision between the United States troops and the Blackfeet Indians at Fort Garry and Manitoba? No information of the kind had reached Hudson's Bay House.

MR. KNATCHBULL-HUGESSEN in reply, said, he regretted that he could not enlighten his right hon. Friend, as the Colonial Office had received no information on the subject.

BOARD OF EDUCATION (IRELAND)—REV. MR. O'KEEFFE.—QUESTION.

THE MARQUESS OF HARTINGTON said, he wished to know, Whether it was the intention of his right hon. Friend (Mr. Bouverie) to proceed with his Motion on this subject, which stood on the Paper for that night? He understood that a new application from Father O'Keeffe was to be brought under the consideration of the Board of Education that day, and the Commissioners were of opinion that it would not be fair to them to discuss the matter until their more recent action in the matter had been brought to the knowledge of the House. He also understood that the Court of Queen's Bench intended to give judgment in the suit pending with Mr. O'Keeffe in the course of a few days, and under these circumstances he trusted that his right hon. Friend would be induced to postpone his Motion.

MR. BOUVERIE said, he intended to comply with the request made to him, but only upon the ground first stated by his noble Friend—the renewed application made by Father O'Keeffe to the Board of Education to have the Callan Schools placed upon the roll again. It was desirable that this transaction should be closed before the matter was discussed in that House. He would not, however, admit that his Motion ought to be postponed because the decision of the Court of Queen's Bench had not yet been given. His Motion was confined to the conduct of the Commissioners, and had nothing to do directly with the quarrel between two ecclesiastics or with the judgment of the Court of Queen's Bench, whatever that judgment might be. Under these circumstances, he proposed to postpone his Motion to the 20th May, and hoped by that time that the transaction, as far as the Commissioners were concerned, would be closed, and that the House would be in a state to deal with it. He trusted that the noble Lord would lose no time in laying the further Papers on this subject on the Table of the House.

PARLIAMENT—PUBLIC BUSINESS.

Mr. GLADSTONE said, he was given to understand that the state of Private Business was such as to make it perfectly convenient to begin Public Business at a quarter past 4 o'clock. He should propose, accordingly, that on Thursday Public Business should commence at that hour.

IRISH RAILWAYS—PURCHASE BY THE STATE.—RESOLUTION.

Lord CLAUD HAMILTON, in rising to call the attention of the House to the subject of the purchase of the Irish Railways by the State, and to move the following Resolution—

> "That this House, whilst expressing no opinion on the subject of State ownership or State management of Railways in other parts of the Empire, is of opinion that it is desirable (having regard to the universally expressed wishes and wants of the Irish people) that the Railways in Ireland should be acquired on equitable terms by the State, with a view to their management being conducted in the interests of the public. This measure to be carried out in such a way as not to involve any loss to the finances of the Empire,"

said, he had a claim on the forbearance of the House as well on account of the importance of the subject as because it came before the House as a matter upon which the people of Ireland were unanimous. It was not a subject of dispute and controversy in Ireland, for all creeds and classes in that country were in favour of the proposition. He hoped the Prime Minister would give him leave to remind him that at one period he (Mr. Gladstone) had upheld the doctrine that Irish affairs should be regulated in accordance with Irish ideas; and he was convinced that in the whole experience of his political life the right hon. Gentleman would not be able to point to a question in which there had been such general accord in Ireland as there was in this case. Already a great majority of the Irish Peers had signed a memorial in favour of the State acquisition of Irish railways. No less than 90 per cent of the Irish Representatives had done the same. The Grand Jury of every county in Ireland had signed Petitions to the same effect. So had the Municipal Corporations and the Towns Commissioners of the smaller towns. The Poor Law Guardians of many unions had taken similar action, and wherever Irishmen congregated public opinion found the same expression. In carrying out this proposal Irishmen were not making a claim upon the Imperial Exchequer, but were ready to bear the burden out of their own means and finances. Therefore, he said, the question now came before the House under a new aspect, and as a subject upon which it was impossible to have greater unanimity of feeling. He did not advocate this plan in the interests of any shareholders or Railway Company; he undertook to promote the object in view on account of the general feeling which prevailed in Ireland in connection with it. If it were carried out it would have a most beneficial effect upon the interests of the Empire at large. Parliament had, with the best intentions, created a sort of monopoly in Railway Companies by Act of Parliament, and had given them great powers, rights, and advantages; but these Companies had not been able by circumstances to exercise their powers and privileges for the benefit of Ireland. The people of that country were, therefore, in an inferior position to any other portion of the Empire in regard to railway travelling and accommodation, and vastly inferior in that respect to the people of other countries in Europe. He trusted that the House—and especially the Members for England and Scotland—would bear with him if he read a short extract from the very able Report of the Commission on Irish Railways in 1866, which was presided over with so much talent by the Duke of Devonshire. The Commissioners said—

> "The main sources of the prosperity of English Railways were derived from the large transport of passengers arising from commercial activity and a wealthy population, and also from the carriage of goods in the great manufacturing centres which did not exist in Ireland."

Why did they not exist in Ireland? The House had to consider the manner in which the English Legislature, from motives of jealousy, destroyed the trade and paralyzed the commerce of Ireland, and in bringing this subject before the House he had special claims upon the English and Scotch Members to assist him in taking steps to remedy this injustice. It was hardly too much to say that the commerce, trade, and manufactures of Ireland were exterminated by the jealousy exhibited towards her by the other portions of the Empire. In the reign of William III. the woollen trade and manufacture of Ireland were most prosperous and thriving. The jealousy of England was so strongly excited that the House of Lords addressed the Sovereign, pointing out that the prosperity of Irish manufactures was calculated to injure the English trader, and they begged the Sovereign to discourage Irish manufactures. His Majesty, in reply, promised to do all in his power to destroy the Irish woollen manufacture, and it would, he thought, be generally conceded that the efforts which were made in that direction had proved very successful. The same course had been adopted with regard to the glass manufacture and the shipping interest, and it was owing to the action of the English Parliament in former times that the present absence of commerce, activity, and trade of Ireland was owing. As it was owing to the direct action in times past of the English Parliament that Irish trade had been crippled and destroyed, and Irish railways rendered less remunerative than they otherwise would have been, they had, in his opinion, a strong claim to the generous and liberal treatment of the present House of Commons, as it represented, in the third and fourth generation, the Members who had acted with so much injustice towards Ireland. The cause for which he contended was no new one, for as far back as 1836 a Commission had been issued with regard to Irish railways, and it was felt then that if the railways were to be formed as in England and Scotland by public companies alone, the country would not be able to meet the requirements of the case, and a recommendation was made that Government should advance a considerable portion of the amount at the lowest rate of interest. That recommendation was adopted by Parliament, and upwards of £2,500,000 were advanced out of the Consolidated Fund to promote the Irish railways—an advance which had not resulted in any injury to the public interest. The whole history of railways was one of Parliamentary control and interference. Parliament, indeed, appeared to look upon the railway system as its child, and had exercised its parental authority at every stage; so that to ask it now to interfere was not to ask it to adopt a novel principle, but merely to carry out that which had been a uniform practice since the railway system was formed. The evils complained of in the present system were rather startling. The general complaints arose from bad management, want of regularity in the starting and arrival of trains, numerous discomforts and changes from one line to another, paucity of trains, the slow rate of traffic, miserable accommodation at the stations, want of harmony between the different railway Boards of Directors, local jealousy, indifference to the wants of different places, and extremely high rates of charge. The third-class fares were so high as to be nearly prohibitory—as high as the second-class fares in Germany, where such excellent accommodation was provided—and the fares for the carriage of articles for market were so high that the ordinary roads were used instead of the railways. One of the great wants of Ireland as an agricultural country, was the cheap and rapid transit of cattle to the ports of embarkation; but the charges were so enormously high that, as a rule, cattle were driven on foot to the ports to their great detriment. Then, again, fish teemed on the coasts, but such was the want of facilities for sending it rapidly to the great centres of population in Ireland or England that the trade was paralyzed and pauperized; thousands of persons who might find profitable employment were deprived of this means of earning a livelihood, and the community at large suffered by a serious diminution of the food supply of the country. The same observation held good with respect to minerals. In England, hundreds of miles of railways were constructed for the sole purpose of mineral traffic; but in Ireland so high were the charges for conveying ore that the small struggling efforts to develop the mineral wealth of the country were seriously impeded. When the Irish people looked at this side of the Channel and saw that railway accommodation was cheap, frequent, and available for all classes of goods, they felt naturally aggrieved at the fact that the Government did not make some effort to meet and remedy the great evil under which they suffered, and which arose mainly from this one cause. The average length of the Irish railways was 43 miles, while in the aggregate they did not equal the lines in possession of one English company. Yet in the case of the Irish railways there were 450 directors, a large number of secretaries, 71 engineers, and as many solicitors, while the London and North-Western Company, to which he had referred, was managed by a Board of 30 individuals. Bearing the facts he had mentioned in mind, he asked the House had they the least difficulty in seeing why the Irish railways were not financially successful, and why the Irish people were not accommodated as they had a right to be? About one-tenth the number of the present directors—had they power to carry out amalgamations and make arrangements for through traffic over the different lines—would be amply sufficient. Would it be believed —he mentioned this as a sample of management — that the mail train from Belfast to Dublin, a distance of 113 miles, stopped two hours at Portadown, and an hour and a-half on the journey from Dublin to Belfast? That short distance, too, was divided between three Railway Companies, each with its separate Board, secretary, directors, and staff. For many years these Companies had refused to issue through tickets, and passengers were obliged to take three sets of tickets for that journey. He could multiply instances of similar inconvenience and want of concentrated management, but he knew that others who would follow him would produce from their several counties ample evidence of the necessity of State interference. He might mention that the recommendations of the various Committees which had considered the subject had in almost every case a tendency towards the arrangement which he submitted to the House; while the Commission which had inquired into the subject of the railways of England, Scotland, and Ireland had stopped short of recommending the purchase of the Irish railways, it had elicited a mass of information which could not fail to support the Motion now before the House. Among other witnesses examined was the right hon. Gentleman the Postmaster General, who pointed out the great want of facilities in Ireland for the transit of ore, cattle, and articles of merchandise. There was one other witness whose evidence, from his great experience, was peculiarly valuable. It was the evidence of Sir Rowland Hill, which was to the effect that the management of the Irish railways was costly and inefficient; that the fares and rates were unnecessarily high; and that the public would derive great benefit from their amalgamation. This evidence was worth more than that of any other witness. It should be remembered what Sir Rowland Hill had achieved. He could well remember how, in 1838 and 1839, he was considered as a dreamer and a visionary, and the idea of a much reduced and uniform rate of postage was deemed irrational. Yet he had so correctly calculated results that he succeeded in bringing about a revolution in our postal system, and in realizing his prediction that, though at first there would be a falling off in the revenue, yet the loss would soon be recouped. There was not a country in the civilized world which had not followed our example in regard to uniformity of postage. When a man like Sir Rowland Hill advocated the purchase of Irish railways by the State, little more was needed to recommend the plan. Mr. John Fowler, Mr. Seymour Clarke, and the manager of the Caledonian Railway, all were in favour of the project. The first Commission was followed by two others, and they gave very important suggestions, though they were not invited to give an opinion upon the purchase of Irish railways, but only to inquire into their state of efficiency, the traffic, and the possible development of the system by the adoption of lower fares. Captain Tyler, in 1871, stated that State management ably administered would be more economical and more efficient; that it could have no possible object but the common good; and that a considerable reduction in fares might be expected. No doubt unity of management in the hands of the State would be of enormous advantage to the country. Of the two last Commissions to which he had referred, one was to collect information, and the other was principally to compare Irish railways with those of foreign countries, especially with those of Belgium. The latter reported strongly in favour of one united instead of a disjointed management. They stated that the traffic of Ireland required a special stimulus, and they proposed that there should be a reduction in first-class fares of 31 per cent; in second-class of 45 per cent; and in third-class of 42 per cent; and that for cattle there should be an average reduction of 32 per cent. They said that the charge for the purchase of the railways would be met by an increase of revenue, and that within 12 years they would receive a large income from this source. The names he had already quoted would give great weight to these suggestions, and prove that they were backed by the most practical public men, and supported by the highest scientific knowledge and experience. The operation of purchasing the Irish railways would not be of the magnitude that some people imagined. The hon. Member for Rochester (Mr. Goldsmid) last year said that we were not prepared for such a gigantic experiment; but the fact was that the capital of all the Irish railways, including debentures and loans, was not more than £27,000,000, or not half the capital of one English company alone—the London and North-Western. [Mr. GOLDSMID said, that he had referred to all the railways of the kingdom.] But there was not the slightest intention to interfere with the English or Scotch railways. It would be perfectly ludicrous to attempt it. The Irish railways had not performed the duties expected of them. They had not developed the commerce, opened out the mines, or performed the functions which any well-organized railway system was capable of performing, and which the English railways were already doing. It was because they failed to perform the public service they were constituted to perform that this exceptional legislation was required. The hon. Member said that it was wanted to double the National Debt, to involve the country in an expenditure of £600,000,000; but there was no intention of the kind, nor could the present Motion be used in any way as a stepping-stone to interference with English railways. He could assure the hon. Member, and those who might share his alarm, that if the Irish railways at all approached the English and Scotch lines in efficiency of service and moderation of charge, the present Motion would not have been brought before the House. The net receipts of the Irish railways were over £1,000,000; so that at present, taking them altogether, they yielded over 4 per cent on the whole capital, although of course the revenue was very unequally distributed among the different lines. If, however, the Government purchased them, it would be at once in its power to get rid of the impediments in the way of their economical and efficient working, by which means they might be made to pay a handsome profit. That was not a new subject. It had been occasionally brought before the House since the year 1865. In 1865 the right hon. Gentleman now at the head of the Government, in conformity with all the other authorities, had fully recognized the propriety and almost necessity of exceptional legislation on that matter in regard to Ireland. The right hon. Gentleman also admitted that—

> "If it should be the desire of the Imperial Parliament to confer a pecuniary boon on Ireland, there would probably be no mode in which that boon could be conferred so free from all taint of partiality, and at the same time so comprehensive and effective in its application, as some measure taken with the view to secure to her the benefits of cheap railway transit."—[3 *Hansard*, clxxviii. 919.]

He further stated that—

> "If the Government could see their way to a useful and practical measure, they would not be disposed, and he did not think the majority of the House would be disposed, to drive a hard bargain with Ireland."—[3 *Hansard*, ccvii. 1786.]

The right hon. Gentleman, he thought, in his speeches had conceded the question of principle, and only reserved the question of time and mode. He hoped, therefore, the Government would not now come forward and say that the task was one which was beyond their power. He could not believe that those who undertook to govern 150,000,000 people in our distant domains in India would shrink, when asked by the whole people of Ireland, to undertake so small an object as the management of their railways. He hoped they would show they had advanced beyond their former stage, and, recognizing the importance of the subject, would cast aside the cold abstractions of political economy, and the shackles of official prejudice, and meet the wishes of the Irish people in a liberal and enlightened spirit, and thus secure the gratitude of a united nation. The noble Lord concluded by moving his Resolution.

The O'CONOR DON, in seconding the Resolution, expressed his gratification at hearing that this question had not been submitted to the House in the interests of the Irish railway shareholders, nor in consequence of the failure of some of the Irish Railway Companies. He supported the Motion simply and solely in the interests of the public, because he believed if the Irish railways were taken up and controlled by the State they would confer a benefit on every class of the community, and not simply on those who had invested their money in making or carrying on these speculations. The railways of the country were becoming similar to what the high roads were in former days, and were, in fact, superseding those roads which had never been left in the hands of private or public companies, but had been intrusted to Imperial or municipal bodies. The feeling in Ireland was perfectly unanimous in favour of the railways being taken up by the State for the general good of the country. In making this proposal the Irish people wished it to be clearly understood that in the event of the Government purchasing those railways, and sustaining any loss by the enterprise, such loss would be cheerfully borne by Ireland, and not by the Imperial Exchequer. Under those circumstances, he thought it was somewhat hard that hon. Gentlemen connected with England should interfere to prevent the success of a proposal which would be beneficial to all classes in that country. If the purchase of the Irish railways by the Government should turn out a successful measure he confessed he saw no reason why the railways of England should not be placed under the same system in the event of the English people desiring it. The principle of amalgamation of Railway Companies, which was extending, and which was so much recommended to them, he looked upon as being fraught with danger to the general interests of the people. It appeared to him that if we did not govern the railroads, the railroads would ultimately govern us, and although many advantages might arise from amalgamation, he did not consider it an unmixed good, and did not regard the formation of enormously powerful corporations such as these amalgamated companies would become, without feeling some apprehension. He, for one, did not share in the feeling of apprehension that the possession of the railways by the State would confer upon it a dangerous amount of patronage. The purchase of the telegraphs of the kingdom did not confer any dangerous patronage upon the Government; and why should they fear any such result by the purchase of the Irish railways by Her Majesty's Government? To grant increased facilities to the companies to borrow money at low rates would not meet the requirements of the case, for this would benefit the shareholders without insuring to the public the improvements which they desired. The people of Ireland were almost unanimous in their desire that the railways should be purchased by the State, and if any expense was to be incurred they were ready to pay that expense themselves, and not come upon the British taxpayers for it.

Motion made, and Question proposed,

"That this House, whilst expressing no opinion on the subject of State ownership or State management of Railways in other parts of the Empire, is of opinion that it is desirable (having regard to the universally expressed wishes and wants of the Irish people) that the Railways in Ireland should be acquired on equitable terms by the State, with a view to their management being conducted in the interests of the public: this measure to be carried out in such a way as not to involve any loss to the finances of the Empire."—(*Lord Claud Hamilton.*)

Mr. GOLDSMID, in rising to move—

"To leave out all the words after the word 'That,' and insert, 'the purchase of the Irish Railways by the State would be financially inexpedient, would unduly enlarge the patronage of the Government, and seriously increase the pressure of business in Parliament,'"

said, he would not follow the noble Lord (Lord Claud Hamilton) into the question of Irish manufactures, beyond remarking that the woollen manufacture of Ulster was still flourishing. He regretted that the noble Lord had declined to waive his Motion in favour of the Resolution for the purchase by the State of all the railways in the United Kingdom shortly to be moved by the hon. Member for Kidderminster, for the unprosperous condition of the Irish lines, the ground on which he had urged that they should be dealt with exclusively, was rather an argument against his proposal. When he himself stated last Session that the purchase of the Irish railways would be a stepping-stone to the purchase of the English and Scotch lines, he was met by protests, and amongst others the hon. Member for Carlow (Mr. Kavanagh) said that he had put up ninepins in order to knock them down again; but the truth of his argument was directly and satisfactorily proved, for the hon. Member for Derby (Mr. Bass) immediately afterwards supported the Motion on that very ground, and now the hon. Gentleman who had just spoken had expressed his willingness to vote for the larger measure if, on the success of the smaller one, the English people desired it. It was all very well for the noble Lord to ask the House to purchase the Irish railways; but that the hon. Gentleman (the O'Conor Don), who was a Home Ruler, should have seconded the Motion on the ground that Irishmen could not manage their own affairs was a remarkable admission and proof of the weakness of those Home Rule principles he had adopted. Shareholders in England, when a railway was ill-managed, found out the natural remedy and applied it by removing their boards of direction and appointing more competent men, and why could not Irishmen do the same? For example the North Eastern Railway formerly consisted of a large number of lines, with numerous boards and divided interests, with no free communication between the various systems, and no possibility of through rates. The shareholders compelled an amalgamation, and now the North Eastern was one of the most powerful and one of the best paying lines in the kingdom. To the argument that under Government management additional convenience and more frequent trains would be offered to the public he opposed the universal experience of travellers on the Continent, denying emphatically that they managed these things better either in France, where the lines were but partially, or in those parts of Germany where they were wholly under the control of the States. The truth was, that when the State owned the railways it esteemed it a duty to make as much money as possible on behalf of the country, and consequently the interests of the travelling public suffered. He would now briefly call attention to the disadvantages which would result to this country from having the railway system under the control and management of the State. The purchase of the telegraphs had been cited as a precedent by the hon. Gentleman, but this was scarcely a case in point; because not only was the capital of the Telegraph Companies small, although the Government paid an extravagant price for them; but also because the question of trust involved in the carriage of telegrams, as of letters, entirely altered the considerations to be borne in mind. Then the argument that the railways were the highways of the country was wholly inaccurate; because Railway Companies, like Canal Companies, or coaches, were associations formed for the purpose of conveying passengers and goods from one part of the country to another. At all events, if the hon. Member's argument held good, the Government ought to purchase, not only the railways, but the canals, and the steamboats which afforded communication with our Colonies, and possibly tramways and many other commercial undertakings. As to the value of the Irish railways, the hon. Member for Galway (Sir Rowland Blennerhassett) stated last Session that the total capital was £22,963,270, but to-night the noble Lord said it amounted to £27,000,000. But last year, when the capital was only £22,963,270, the hon. Member stated that the Government would not be able to purchase the railways for less than £30,000,000, and if the value went on increasing in the same proportion as it did last year, we should have to pay £36,000,000 or £37,000,000. The Chief Secretary for Ireland had intimated that if the State purchased the Irish railways, it would only be at a reasonable price. But how could he get at the price except by arbitration or agreement. He certainly could not get it by the compulsion of an Act of Parliament. And looking at the valuation of the telegraph system, and considering how the value rose when the purchase was contemplated, who could tell what would be the case with respect to railways? He believed the country would not be able to obtain for less than £40,000,000 the Irish railways, the capital of which did not exceed £25,000,000, and the value of which was little more. And what would be the result? There would be a constant pressure on the Government to reduce the fares, to construct branch lines, which meant non-paying lines, and these would reduce the value of the purchase. The House ought also to consider the increase of the National Debt which would be caused by the acquisition by the State of the railways. If the State bought the Irish railways the property would be inalienable, and could never be sold. The increase of the National Debt would therefore be a very serious matter. The purchase of the Irish railways would be the first step towards the purchase of all the railways in the United Kingdom. When this subject was recently discussed at the Statistical Society's meeting, the estimates of the cost of the construction of existing railways varied from £600,000,000 to £800,000,000. Whether they cost the larger or the smaller sum the State would not acquire them for much less than £1,000,000,000, and even if they could be got for £800,000,000, that would double the National Debt and raise it to £1,600,000,000. The largest National Debt in the world was now owing by France, and it amounted to between £1,100,000,000 and £1,200,000,000. As France had been unable to borrow the latter portion of her debt for less than 7 per cent, how could we expect to borrow £800,000,000 at 3 per cent? In time of pressure or danger could we hope to borrow so vast a sum on any terms whatever? And consider, too, what our position would be after having raised our debt to such a colossal sum if we ever had to go into the money market again. Then also, there was the possibility some day of some invention — he knew not what — which might supersede railways altogether. [*A laugh.*] Hon. Members might laugh; but less than 60 years ago people laughed at the idea that coaches and canals would ever be superseded. Something might be invented to override railways, and then the State would have purchased at a high price and at a great risk property of very little value. There was another consideration which the purchase of the railways by the State involved—the question of State control. He wanted to know how it could be expected that a Government already overburdened with work—which had hardly time to consider what had best be done for the public interests, and which had reason to complain that the House of Commons had also too much to do, could undertake satisfactorily the control of large sums of money, the management of a vast body of men, and arrangements affecting the lives of the community, and the conveyance of enormous quantities of goods and minerals. Some persons affected to believe that if the Government had the control of the railways there would be no railway accidents. Was it, however, possible that a pointsman, because he was in the service of the Government, would be less likely to go to sleep, or that a signalman would never make a mistake, or that a station-master would never delay until too late shifting a train into a siding? He ventured to say that railway accidents would be just as numerous as ever. They had been gradually diminishing for many years, and now the proportion of fatal accidents was only one to about 31,000,000 of passengers. Such a result showed great and creditable care on the part of the present railway managers. How was one Minister to manage a number of lines that now required the constant attention of several Boards of Directors? The Chairman of the London and North Western had not long since stated that his Board had nearly as much as it could do, and that it could not undertake any considerable amount of additional labour. That was equally true of all the other great lines, and no Minister could manage to his own satisfaction or to that of the country, the whole railway system of the Empire. He would require for his assistance an enormous Board, far larger than the Indian Board, and a number of officials equal to the number of persons now employed as railway directors. Consequently the argument that State purchase would give greater economy of management would not hold water. The authority of Captain Tyler had been quoted in favour of the purchase of railways by the State; but it was natural he should look for promotion, and if the purchase were made, Captain Tyler would no doubt have a very good place in the new arrangements. Besides, there was a natural acquisitiveness on the part of Government *employés*. But he would rather rely upon the evidence of one who had been connected with railway supervision, and was so no longer —such a man, for example, as Captain Galton, who had had a large experience in railways, and who was strenuously of opinion that it would be against the public interest for railways to be purchased by the State. Then came the question of patronage. If the Government had the patronage of 300,000 railway *employés*, it would disturb the whole machinery of Government. It might be said that, practically, the patronage would not rest with the Government; but even if a graduated system of promotion existed there would be 20,000 places to give away every year and all kinds of influences would be brought to bear in favour of particular persons. It might be said that these persons would be appointed by competitive examination; but he failed to see how pointsmen, signal men, and railway porters could be selected under a system of competitive examination. So large an amount of patronage in the hands of the State would be a source of great evil and danger to the Government of the day, and would be a constant cause of difficulty and trouble to Members of that House. Hon. Members could not have forgotten how they used to be asked to obtain the influence of the Secretary to the Treasury to get places under Government, and how salutary had been the change effected in that respect by the present Prime Minister. If the Government bought the railways this difficulty of patronage as it formerly existed would be more than doubled. Again, many of the great Railway Companies had embarked in other undertakings. The Great Western had extensive works at Swindon for building carriages, &c. The London and North-Western had similar works at Crewe. Some Railway Companies had docks, others steamers and hotels, and recently they had been contemplating the purchase of coal mines in consequence of the difficulty in obtaining regular supplies of coal. If the State purchased the railways it would be necessary to take over all these undertakings. The tendency of the present day was to forget that the duty of a Government was not to trade but to govern. If it traded at all it was only permissible to do so in such matters as dockyards, ships, and the manufacture of arms and uniforms, which were necessary for the defence and therefore for the government of the country. To go into enterprises such as might be legitimate enough on the part of Railway Companies, but which after all were not necessary for the State, was, however, travelling out of the proper province of a Government, and was an error against which Members sitting on the Liberal side of the House were especially bound to protest. Then they would find gigantic Unions organized throughout the country among the railway operatives; and if the Government did not give satisfaction in the matter of wages they would, probably, have gigantic strikes to deal with, and that it was possible for the Government not to give satisfaction he, as a dockyard Member, had ample experience. They had, moreover, a recent instance of this in the discontent which had existed among the *employés* in the Civil Service. Then, in addition to the questions which would continually engage the attention of the Government in respect to fares, rates, and extensions, and so on, there would be the question of compensation; and we should, probably, find the Government employing half the legal talent of the country in connection with actions brought against them under the Passengers Act and the Common Carrier Acts. All these matters would add greatly to the difficulties of carrying on the Government, and one or two of them alone would be sufficient to counterbalance the imaginary advantages which would accrue from the State purchase of railways. Again, it would, he believed, be almost impossible to overrate the disturbance which would arise from the pressure which might in times of danger be brought against the Government. About one matter, however, there could be little doubt. Whatever was to be done it was above all things desirable that her Majesty's Government should speak out. Last Session the noble Lord the Chief Secretary for Ireland in his speech upon this subject, at one moment implied that Her Majesty's Government were seriously considering the policy of purchasing the railways, and at another said that the Government were not prepared to accede to the proposal that they should be acquired by the State. This ambiguity of phrase had had an unfortunate result, and he had even been informed that the possibility of the State purchasing the railways had been regarded in some quarters in Ireland as so strong that no proper attention had in the case of some lines been paid to the permanent way, it being thought unnecessary, because Her Majesty's Government could do it better. He could not help holding that such speeches as the one to which he referred were calculated to excite false hopes. So much, he believed, had this been the case in the present instance that the market price of the shares in even unremunerative lines had gone up considerably since the agitation of last year. He therefore begged Her Majesty's Government to give a decisive, and he hoped a negative answer to the question raised by the Motion of the noble Lord opposite. The hon. Gentleman concluded by moving his Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the purchase of the Irish Railways by the State would be financially inexpedient, would unduly enlarge the patronage of the Government, and seriously increase the pressure of business in Parliament,"—(*Mr. Goldsmid,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GLADSTONE said, he thought that those hon. Members who could not concur in the argument of his hon. Friend who had just spoken would at the same time feel the justice of his appeal to the Government that they should speak out on this question, and not only that they should speak out but speak early. He did not accept the censure of the hon. Gentleman upon what had been said last year by his noble Friend (the Marquess of Hartington) on behalf of the Government on this subject. What his noble Friend had expressed, and what Government had expressed, was this—that, looking to the state of the railway system in Ireland and to the wide-spread feeling in Ireland, it was the duty of the Government to do what without very great cause they would not have done at all—namely, to make a thorough examination of the subject, and arrive at a conclusion, aye or no, on the question whether they could propose to Parliament the purchase of the Irish railways. That was the undertaking into which they entered, and of course it followed that when time had been allowed for the redemption of the undertaking they should state the result to the House. He did not go along with his hon. Friend who had just spoken to the full extent as to the connection sought to be established between the Irish and English railways; but in one proposition he had pronounced he did emphatically concur, and he referred to it now, because it must lie at the root of every discussion on the subject. His hon. Friend had said that the business of Government was not to trade, but to govern, and they must not conceive that it was always an open question whether Government should or should not take into its hands the management of some great trade or undertaking. Nothing but a case that might be said to amount to very nearly a rigid necessity could warrant the State in undertaking a trade or business. It was upon that principle that Government had undertaken the business of the Post Office, which was a business that no one else could perform with tolerable satisfaction. It was upon the same principle that Government had undertaken that peculiar system of banking originally involved in the Savings Banks, where the State was the principal agent, and in the Post Office Savings Banks, where the State was the sole agent. It was on the same principle that the State, going one step farther, and acting on perhaps a less rigid definition, had acquired the telegraph system, and the question was now whether it was possible for the State to purchase the railways of Ireland. There were very serious reasons why this subject should be taken into consideration, and for his own part, had the transaction been merely a financial transaction—had it been merely a question of acquiring the proprietorship of the railways, and then of using them as a great landlord used his lands, in leasing them or letting them for a term at a rack-rent to those who could manage them—he should have regarded it as one of great difficulty. He might say, in the first place, that the noble Lord had discussed the question with great fairness. The Irish railway system as it now existed was comparatively a weak system. Ireland itself had great capacity for the development of traffic, and the development of that traffic would be of enormous benefit to that country. In England we had attained magnificent results under a railway system which had extended to every available district in the country, and which had more than met the demands made upon it. In Ireland, however, these results had not been attained to anything like the same extent, for the system, while extremely limited and confined geographically within what they might call very narrow bounds, was also very disjointed and wanting in that union and connection which were so necessary to its efficiency. That the amalgamation of the Railway Companies would be of very great moment he could not doubt, and that Ireland desired that this purchase should be made by the State he also did not doubt. He felt bound to say that he did not see that the adoption of the principle with regard to Ireland necessarily involved its extension to England. He went a little further. Not only would it not render necessary the adoption of the same principle in Great Britain, but it would not have any sensible effect in prejudicing or weakening the position of Government for resisting any plan in England or Scotland that might be brought forward. The circumstances were so different that he did not feel that the judgment of Parliament would be compromised by any step that it might adopt with reference to Ireland. These admissions he freely made. Before going farther he would urge his hon. Friend (Mr. Goldsmid) not to press his Amendment, because it was not an Amendment in the proper sense of the word; it was a series of negatives, and it would be better that the House should vote on the affirmative or negative of the Motion of the noble Lord (Lord Claud Hamilton.) So far as his own opinion was concerned the consideration he had given the subject had been conducive of disabling him from supporting the Motion of his noble Friend opposite. He frankly admitted the abundance of the declarations they had had from all the organs of Irish opinion with respect to the willingness of Ireland to assume the pecuniary liability which the carrying out of the scheme might involve. He must, however, claim the admission on the other side that no distinct plan for the purchase of railways, and for charging the possible cost of the plan upon Ireland, had ever been presented to Her Majesty's Government. That was a point of great importance. How was the cost of these railways to be charged upon Ireland? Because, he assumed—of course, he did not question for a moment—that if these railways were to be purchased, it must be for the purpose of giving to the Irish people the benefit of a very large reduction of fares and rates. If that were so, a very considerable risk would necessarily be run. His noble Friend opposite had referred with great fairness and propriety to the Report of the Commissioners and others who examined this matter, and who were thought to have taken rather a sanguine than a desponding view, but who showed there would be for a considerable time a charge of no small amount to be met. How was Ireland to supply the deficiency? Was it to be done by a rate upon Irish property? There had been no indication of how the engagement would be met, although the readiness to enter into it had been so freely professed. If it were to be met by a rate on Irish property, they should bear in mind that they were in the midst of a discussion as to local taxation—a subject the extreme difficulty of which they all acknowledged—and also that the three kingdoms—even including Ireland—were suitors for relief from local burdens out of the Imperial Exchequer. And if the local burdens of Ireland were to be augmented by laying upon her people a serious addition, at all events for a term of years, for the purpose of bearing the charge of the purchase of the railways, he had to ask himself whether that would not have a very important effect either in strengthening the case of Ireland for relief from the Imperial Exchequer in respect of her local burdens, or at least quicken agitation in Ireland—he used the word in its legitimate sense—for the purpose of obtaining such relief. So that they might find themselves in this position—that if they imposed on the land and real property of Ireland a direct charge in consequence of the acquisition of the railways, they might find that fact in some degree an incentive to augmented activity in Ireland in urging a demand for the reduction of charges which that property now bore. It should be remembered, too, that the Railway Companies in Ireland during the whole of the discussion as to the purchase of their property, which had extended now, off and on, over a period of 10 years, had never shown the slightest sign of life, or the slightest indication of a wish to give facilities. Everything that had been done had been done by the Irish public. No doubt the holders of shares had shown that they had formed their own impressions as to the bearings of the matter, but the companies had studiously remained on the defensive. Virtually they had said to Parliament—"If this matter is to be entertained you must become suitors and petitioners to us. We are not asking you to purchase our property. If we were, you would have a right to expect us to tender it upon terms of great moderation. But you take the initiative. You ask us to sell, and therefore we have some title to demand our own price, and are not to be dealt with as those who are willing to be expropriated, and should receive a pretty handsome allowance in consideration of our unwillingness." Another view of the case ought not to be left out of consideration. A Royal Commission had been appointed to examine into the whole subject of railways in England, Scotland, and Ireland, and he was the person responsible for the choice of its members. The head of the Commission was the Duke of Devonshire, and its vice-head was the present Lord Derby, then Lord Stanley. The object in view in forming that Commission was to bring together as much experience, assiduity, impartiality, intelligence, and general weight as it was possible to secure within the limits of a Royal Commission, and undoubtedly the Commission was formed of men of whom he could, from his own personal knowledge, say that, in reference to the purchase of the railways by the State, and particularly of the Irish railways, they had not any adverse bias. There were some of them whose leaning was distinctly in that direction; but they were not men governed by any foregone conclusion. Notwithstanding that fact, the result at which they arrived was not only adverse to the purchase of the English, but also of the Irish railways. He did not say that that circumstance ought to govern the opinion of Parliament; but it certainly ought to be borne in mind in considering a matter in which authority must necessarily have something to do. For his own part, he drew a great distinction—he did not know that all his Colleagues were prepared to go as far as he did—between the merely financial and the trading operation. Assuming that they could obtain the railways on reasonable terms, was it possible to deal with the matter as a financial operation only? Would they be justified in expecting that they could instruct the Railway Commissions about, probably, to be appointed, to lease the railways to private persons, so that the management and conduct of the railways should continue to be a matter of private enterprise?—that thus, too, the questions of patronage, of the undue pressure of local interests, of accidents, of strikes, and those other matters to which his hon. Friend (Mr. Goldsmid) had alluded might be avoided? For his part, he did not regard the mere financial operation as a matter of hopeless difficulty, although he was by no means sure that it was one which Parliament would be ready to adopt. There was much in what his hon. Friend had said to the effect that those things were extensions of public liability—new weights laid upon the public credit. But though he was conscious of that fact, he thought the acquisition of the property, which was real property, was a matter which need not alarm them if the public benefit to be attained was very great, if it could be attained in no other way, and if nothing but the financial operation were in question. But here he was met by a difficulty which he, for one, knew not how to get over, even if Parliament could be induced to get over the objection as to the extension of the public credit. He put aside the argument as to the probability of some new invention superseding the railway system. It was too remote, and they could, he thought, afford to part with it. A most important question was this—if it was practicable for the State to become the purchaser of railways, was the State, after it had purchased them, to manage them as a Scotch landlord generally managed his landed property—namely, by leasing it out to cultivators, which cultivators were invested with temporary interest in the soil sufficient to induce them to give all their time to the cultivation of it? He spoke here not of his own authority; but he was assured on all sides that the system of working railways by leasing them had been tried repeatedly, and had not been found practicable upon an extended scale. If it had not been found practicable under private companies, still less, he was afraid, would it be found practicable under the State. Now that lay, he thought, at the root of the whole matter. In trading concerns he confessed that he was not prepared to deal; and he doubted if his noble Friend (Lord Claud Hamilton) was himself prepared to adopt such a principle, because he certainly referred to the leasing of lines as the method to be contemplated. As had been already well said, their trade was not to do the business of trading, but to govern. If the State undertook to work railways, the Government would become involved in a multitude of questions which he knew not how to escape. Was it to be supposed that a Railway Department could be worked under a Railway Secretary of State, or a President of Railway Management responsible to that House? One of the most obvious things to his mind was that that would be totally impossible. It was totally impossible to suppose that if the State attempted to work railways directly, and under principles of Parliamentary responsibility, the persons intrusted with the carrying out of that system would not be liable to pressure, legitimate and illegitimate, in every sense from every quarter. When they spoke of the passenger traffic of the country they spoke of something sufficiently intricate, but the passenger traffic was child's play compared with the goods traffic. In one company alone there were charged not less than £3,000,000 of rates for different goods from different places. [An Hon. MEMBER: £4,000,000.] Whether it were £3,000,000 or £4,000,000 how was it possible that the Government could have elasticity and flexibility enough to make itself the Guardian of the public interest in such infinite details. A Commission such as that which they were about to institute could never govern in details like these. He would not dwell on the question of patronage. He thought that admissions to railway service might be managed as admissions to the public Departments were managed; but with regard to promotion under a railway system, that could not be put into the hands of the Administration of the day. It must be given to some public and permanent body like the Railway Commission, which would thus grow to much larger proportions than they had proposed to give it. He was not much inclined to those great Parliamentary creations, whether under the name of a Commission or under any other name. They had not in them the wholesome constitution which belonged to really popular functions, and nothing but the strongest necessity would induce him willingly to entertain the question of appointing such a body. He had admitted and lamented the evils of the railway system in Ireland, and he was most anxious on this subject, because he thought the delay in remedying those evils might have operated injuriously against Ireland in other respects. He could not help thinking that great benefit might be conferred on Ireland by the extension of British Railway influence into Ireland. He could not conceive that anything would be more advantageous to Ireland than this—that the great companies which now communicated with the West Coast of England and Scotland should communicate with the east coast too. The distinction between the East and the West was gradually being weakened and effaced. It appeared to him that these great companies might, with the greatest advantage, concern themselves further than they had yet done with the development of Irish traffic, and endeavour to establish arrangements between the Irish Railway Companies and themselves. He understood that the Great Western Railway Company had made some step in that direction. He had heard of small railways combined into one in the south-west of Ireland, and forming a system comprising nearly 400 miles. That was a germ of improvement which he hoped would be developed. With respect to the recommendation given in the year 1837, that the Irish railways should receive exceptional treatment, he would say a few words. He had already said that they could not possibly undertake the purchase and working of Irish railways, and the purchase and working were inseparable, and even if they could be separated it would be very difficult to induce Parliament to accept the purchase even without the working. As to the State giving pecuniary assistance to Irish railways in the form of loans at low rates of interest, he admitted that it would be advisable to advance money at a low rate of interest if the public were to derive the benefit of a development of traffic; but it was one thing to advance money in order to promote the development of traffic, and another thing to lend money to a Railway Company in order to avert the last extremity—the seizure of its rolling stock. It was impossible for the Government to take the initiative in any plan for the advance of these loans; they must depend entirely upon applications from the Railway Companies themselves; and he was only going to state what was a possible mode or means of conferring a certain amount of benefit on Ireland without entailing undue responsibility upon the finances of the country or in any manner interfering with the general work of the Government, or adding tasks to an Executive that might be already said to be overdone. It was quite plain that there was room for a large economy in Irish railways. In the first place, there would be a very large economy in management if the Railway Companies found it for their own interest to unite. It could not properly be said that they could not unite because one was rich and another poor, because the poor railway could find out what it was worth and the rich railway would know on what terms it would be warranted in paying the poor line; and he knew of no reason why amalgamation should not take place if the parties were so disposed. He had heard it stated, on very high authority, that in this way some £50,000 a-year would be saved. Upon the Irish lines there was an amount borrowed upon debenture and other security of £6,345,000, and he presumed there would be a saving, if it were wise for the public to assume that debt, and become creditor — supposing the security were in all cases perfect—of such an amount as would enable them to make a present to the Railway Companies in Ireland of not less than £70,000 or £80,000 a-year. If to that sum were added the £40,000 or £50,000 per annum which could be saved by economy of management resulting from amalgamation, there would thus be a total sum of £130,000 per annum standing to the credit of the Irish Railway Companies. The income of the Irish railways, after paying the working expenses for the period for which the latest Returns had been received, amounted to £1,050,000, and that sum, together with the £130,000 he had just referred to, would give a net dividend of 12 per cent on the share capital of those lines. There was evidently a clear margin within the limits of which very large reductions might be made in the fares, and especially in the rates of the Irish railways, and thus a great benefit might be conferred upon Ireland without pecuniary risk, without drawing this country into any extended engagements or legislative innovation, and without giving rise to any serious practical difficulty. It was quite impossible, however, for the Government to take the initiative in such a matter, because it depended entirely upon the arrangements and upon the economical management of the Railway Companies themselves. The first and the most essential step would be that the Irish Railway Companies should agree upon some reasonable principle of amalgamation, and should arrange among themselves for the transfer of the debt; and when that step had been taken the initiative would lie with the Railway Companies, because the security could only be accepted in the event of it being perfect. It would be the duty of the Government in the event of the companies assenting to the arrangement he had indicated to take care that any reduction in the fares and rates which the companies might agree to make should be added to the amount of the debt. He had gone thus far into the scheme, because the Government had a most sincere desire towards remedying the admitted defects of the Irish railway system, provided they could do it without interfering with private enterprise and without raising serious political or practical difficulties. He hoped what he had said might be sufficiently intelligible to the noble Lord who had brought forward this Motion, and he was sure that it would be taken as an indication of the readiness that was felt by the House in all quarters to provide by any fair measure that did not involve any false or vital principle, for the extension to Ireland of those enormous benefits that this country had so largely derived from the railway system. The principle was not new; it was one that had been already acted upon, only rather for the purpose of meeting overhanging evils and pressing necessities, than as an instrument for drawing forth new and extended energies. He had no means of judging how far any practical result would flow from this expression of willingness on the part of the Government, but of course the matter would depend entirely upon the decision at which the Irish Railway Companies themselves arrive with regard to the course they should pursue in relation to this question. With regard to the purchase of the Irish railways by the State he trusted that in the remarks he had made he had shown that the Government had fully redeemed the pledge they had entered into to give the subject their most careful consideration, and it was with much reluctance on the part of some of them, and perhaps, therefore, with the more authority, that they had felt compelled to arrive at the conclusion that it was their duty to meet the Motion of the noble Lord with a negative, although they at the same time fully sympathized with the motives that had induced him to bring the subject forward.

Mr. O'REILLY commented upon the absence of any authoritative body which could speak in the name of Ireland, and asked whether the Telegraph Companies initiated the movement which led to their purchase by the Government? There were sources of revenue exclusively Irish from which any possible loss arising from the present proposal could be met, and he saw no reason why the new Commission could not manage the Irish railways. He deprecated an increase of such influence as the English companies at present exercised in Ireland, involving, as it did, an unnatural diversion of traffic and in some instances a great sacrifice of public convenience by traffic being forced round. Amalgamation in limited areas was advantageous; but if the right hon. Gentleman at the head of the Government was well acquainted with the circumstances of Ireland, he would have hesitated to look forward to any great development of the Irish system, either from amalgamation or the extension of the influence of the great English companies in Ireland. The proposal of the right hon. Gentleman was that if the Irish Railway Companies, having amalgamated to some undefined extent, and having gained £50,000 by that amalgamation, applied to the State, the State should, by advancing the amount of their debts, save them £80,000 a-year, which, added to the £50,000, would amount to a total saving of £130,000. He stated that these advantages would be given to the companies on condition of their giving reciprocal advantages to the public; but he did not show how the reduction of rates was either to be defined or regulated. The scheme could not be carried out by a proportionate reduction of fares, [Mr. Gladstone: Hear, hear!], but only by an entire recasting of the fares. There would also be this difficulty in the way—that the price paid to the different companies would be greatly diversified and inversely to the advantage the public ought to gain, for the largest loans were held by the poorer companies with short lines, on which reduction of rates would yield in the aggregate little relief to the public. The great companies, like the Great Southern and Western, the lowering of whose rates would benefit the public, would gain little by the proposed arrangement—at most a half per cent in the rate of interest they paid. The Government of France, though it supervised, certainly took no part in the management of the railways; and it was rather odd that the hon. Member for Rochester (Mr. Goldsmid) should pass from the railways of France to those of Germany without taking those of Belgium on the way. In Belgium the State managed almost all the railways, and in the Belgian Parliament, the question having been fully debated whether the State ought to manage the railways with a view to profit or with a view to the advantage of the public, the conclusion which prevailed was that the public advantage should be the great object of their management—not the production of revenue. That principle had been acted upon in Belgium, where the opinion had been largely expressed throughout the country that the State should acquire the management of all the railways. That was the system which he advocated for Ireland. With regard to accidents, he believed they were fewer in proportion under State management in Belgium than under the management of companies in this country. It had been asked—How could one Minister manage the whole of the railways? Nobody had suggested that one Minister should manage all the railways in the United Kingdom; and as to the Irish railways in particular, why a single English company managed a more extensive system. Again, it had been urged that it was the business of the State not to trade but to govern; but in regard to a matter like providing proper means of locomotion throughout the country for the benefit of the whole people, it might well be for the advantage of the public that such functions should be discharged by the State. They all knew how great was the influence of the railway interest at this day even in the House of Commons. The Prime Minister, in a memorable passage, often quoted, had stated, not that legislation in respect to Ireland should always be in conformity with Irish opinion, but that in matters affecting Ireland exclusively or mainly the opinion of Ireland ought to prevail. Well, this was a proposal which concerned Ireland alone; and it was admitted that the Irish people desired that their railways should be purchased by the State. They were practically unanimous in that desire, and they did not seek to involve England in any financial responsibility. No doubt the opinion of the majority of the Imperial Parliament ought to prevail on all Imperial questions; but it ought not to prevail on local questions, and those who sought to overrule the wishes of the Irish people on this question would incur a serious responsibility.

MR. M'LAREN said, that having taken part in the discussion on this subject last Session, he should like to say a few words on the altered aspect of the question according to the proposals made by the Prime Minister. He thought the proposals of the right hon. Gentleman were exceedingly liberal, and that if they were accepted by the people of Ireland and the Railway Companies in the spirit in which they were made, they would be productive of great good. By adopting that plan no question as to the amount of capital would enter into the discussion at all, and no great disturbance of the existing state of things would take place. But the hon. Member for Longford (Mr. O'Reilly) complained that the Prime Minister had not shadowed forth any mode by which the railways in different parts of Ireland could be grouped together so as to be worked as a whole in the same manner as railways in this country had been grouped together—in particular the north-eastern group of railways had been referred to. Knowing something about the amalgamation of the lines covering a great part of the North of England, he could state that as regards their amalgamation no question of the amount of capital was stirred or required to be stirred. There was no question of capitalizing the railways and saying—this was worth so many millions, and that was worth so many more. The principle upon which the amalagamation took place was this:—One railway, say, earned 1½ per cent, another 3, and another 5, and they united on the principle that as long as the profits stood at these amounts, each company would get exactly its 1½, 2, 3, or 5 per cent., as the case might be; but whenever, through the economical working of the railways, the revenue increased 5 or 10 per cent, the dividends which each company had been earning was to be increased to that extent; and since the amalgamation the railways of the North of England had nearly doubled their revenue. In that case there was no question of the amount of capital—it was a simple plan for uniting them together for economical working. If the new Railway Commissioners were to be instructed to divide the railways in Ireland into perhaps three groups or more, as they thought most convenient for their working, and if they were to encourage all those railways forming each group to unite together on the principle he had explained, then if they could save £40,000 or £50,000 in their working expenses, immediately to that extent would the dividends of the shareholders be increased. In like manner, if the Government lent the money at the rate of 3½ per cent, no doubt to the poorer companies it would save 1 per cent, and to the others 1½ per cent, and in that way very great benefit would accrue to Ireland. Moreover, in that case the Government would not require to interfere in regard to the working of the railways. If, on the other hand, the principle which the noble Lord opposite (Lord Claud Hamilton) and the hon. Member for Longford advocated was to be adopted, just look at the consequences that would follow; and he was quite satisfied that while the arrangement would be beneficial to the present railway shareholders of Ireland, it would not be quite so beneficial to Ireland as the plan shadowed forth by the Prime Minister. The present capital of the Irish railways was about £27,000,000. He did not suppose that the Government would deal with the Irish railways in the same extravagant manner as they dealt with the Telegraph Companies; but he would assume that the Irish Railway Companies would get one-third more than the present capital; that would bring the £27,000,000 up to £36,000,000. The present net revenue from those railways was about £1,050,000 a-year, which on £27,000,000 of capital would give 3¼ per cent. But if the Government were to pay £36,000,000 for them it would only pay 2¾ per cent. Then it was contended that no good would accrue to Ireland from a change in the present system unless there was a large reduction of fares. But assuming only a very moderate reduction to take place instead of a very large reduction, a very moderate reduction would reduce their 2¾ per cent to 2 per cent. Where were they then? The Government would have paid £36,000,000, on which they were to get 2 per cent. But, said the hon. Member for Longford, "Oh! the deficiency will be made up;" or rather he meant that there would be no deficiency. He (Mr. M'Laren) could not understand how the hon. Member arrived at that conclusion—but supposing that the statement was made in perfect good faith, that the deficiency would be made up, how would it be made up? A deficiency in revenue there must be —perhaps of 2 per cent, and an assessment would have to be laid upon all the property of Ireland in order to replace it. Were the people of Ireland prepared to do that? Was the land of Ireland to be saddled with a tax of £1,000,000 a-year for the purpose of enabling those who travelled by railways to do so at reduced rates, and of putting a bonus of one-third into the pockets of the shareholders? The shareholders of Irish railways were not necessarily Irishmen, as was well known; the shares were held to a large extent by Englishmen and Scotchmen. Well, if they were to give the man who had invested £1,000 in Irish railways, and who resided in London, a bonus of one-third on the value of his shares, what good would that do to the people of Ireland? Or supposing them to be all Irishmen, how would it benefit all Irishmen that individual Irishmen should receive a bonus of 33 per cent on their investment? For that was what it came to. For the reasons he had stated, he entirely sympathised with the views expressed by the hon. Member for Rochester (Mr. J. Goldsmid.) He thought the plan shadowed forth by the Government was a most liberal measure, and that it would confer greater benefit on the people of Ireland than any scheme for buying up the Irish railways to be worked by the Government.

Viscount ST. LAWRENCE said, he should be sorry, as an Irishman, to support this Motion unless it was distinctly understood that the Irish should be fully prepared to bear the brunt of any shortcomings that might arise—and that in a manner the most satisfactory to the Government. It was hard to charge the Representatives of Ireland with having spontaneously originated this movement. The best way of ascertaining what the Railway Companies would take for their shares would be by appointing a Commission to inquire into the matter, and if their demands were extravagant he would not expect the Government to enter into the scheme. There were certain points and characteristics in the purchase of Irish railways connected with the industry and prosperity of that country that required relief. Immediate relief should be given to the manufactures of the country and the fishing interest in the reduction of transit fares. If that were done, a large quantity of fish might be transported to the English market. Conger eels, and other coarse fish that could not be eaten in Ireland, would then be sent to England at a fair profit. If the directors of the various Irish railways were to adopt a liberal policy it would very soon amply repay itself.

Mr. W. ORMSBY GORE supported the Motion. He desired to express his disappointment at the proposal of the Prime Minister, which would, no doubt, be a boon to the companies, but would be of very little benefit to the Irish people. What they complained of was that the fares and rates were very much too high; that the accommodation was not sufficient; and that the interests of the public were entirely sacrificed to those of the shareholders. For instance, on the line which ran near where he lived the fares for first-class passengers for 100 miles were 18*s.* 8*d.*; whereas on the Lancashire and Yorkshire line first-class fares for the same distance were only 12*s.* 2*d.* Second and third class passengers, who were a class more deserving of consideration, paid in proportion. Then in Ireland, while people had to pay seven-eighths of a penny per ton per mile for carrying coals, the charge in England was only three-eighths of a penny, or less than half. Many persons were under the impression that the Irish railways were very badly managed. That was not so, as far as the present profit of the shareholders was concerned; but with a view to ulterior profit the companies would study their own interest better if they lowered their fares very considerably. Under the present system of management the interests of the public were totally set aside, and so it must be as long as the railways were in the hands of directors acting only on behalf of their shareholders, and in support of this he could not do better to express the real state of affairs than by quoting the few but very concise words of Captain Tyler, who said—

> "The object of company management is within certain limits to keep the charges at the figures which yield the highest dividends."

and he described the result of State management and though the hon. Member would not commit himself so far as to declare himself a supporter of that system, nor was it the only alternative to the present system, yet it was very worthy of consideration. Captain Tyler in contradistinction to company management, said—

> "The object of State management would be to reduce the charges to the utmost, consistently with the avoidance of loss and the realization of a moderate margin of profit. It cannot be doubted that under State management a fair return would be obtained with charges very much reduced and a traffic enormously increased, nor that such charges would be of incalculable benefit to the country."

The Prime Minister had said the Railway Companies had shown no inclination whatever to sell their property; but the right hon. Gentleman could not have known that last autumn the shareholders of the Great Southern and Western were consulted and 95 per cent of them assented most gladly to the proposal to accept for their interest in the railway the price of the shares on the last day of the previous year, plus 25 per cent. This showed as clearly as possible the disposition of the largest railway in Ireland.

Mr. M'CARTHY DOWNING said, that a Petition signed by 90 of the Irish Members and all the Irish Peers had been presented praying the Government to take this matter into their own hands, and it was expected that they would take the subject into consideration and give the result of their deliberations, and he was therefore amazed at the speech which had been delivered by the right hon. Gentleman at the head of the Government. If there was any one measure on which the Irish people were of one mind and on which the Irish Members would go into the lobby it was the question of Irish railways; and yet the hon. Member for Rochester (Mr. Goldsmid) protested against the boon being granted lest the people of England and Scotland should desire the same thing, and he had no doubt that the English and Scotch Members would unite to defeat the Motion of the noble Lord (Lord Claud Hamilton). The hon. Member for Rochester had asked why the Irish people did not manage their own affairs. He answered, because the hon. Member would not allow them. The Prime Minister had proposed a scheme by which the Railway Companies would be helped out of their difficulties, a proposal which would be very acceptable to the holders of railway shares, but would be no boon to the people who wished for lower fares and cheap transit for their produce. Whilst assistance to the extent of £79,000,000 had been granted to India, and guarantees had been given to Canada and New Zealand, what had been granted to Ireland? The way in which the Irish railways were treated by the Treasury was certainly not encouraging. In one case a Railway Company—the Dunmanway and Skibbereen, of which he was a director—obtained the sanction of Parliament to borrow money to the extent of two-thirds of its capital, or £53,000, and that sum they proposed to borrow from the State upon a baronial guarantee worth £150,000 a-year. But the Treasury declined to entertain the application, although it was pressed upon them several times, and although the security was ample. In the end the directors, who owned large and valuable estates, offered to borrow the money on their own personal security, under the provisions of the Act 1 & 2 *Will.* IV., but still the Treasury declined to entertain the matter. The State was ready enough to give guarantees to Indian, Canadian, and New Zealand undertakings, and why might not similar help and a similar guarantee be given in the case of Ireland? As it was, the Irish Commissioners of Works, who should surely be the parties to decide whether loans were to be made for Irish purposes, had to communicate with the Treasury in this country, and the result was that endless difficulties were thrown in the way. What was the result of the many interviews with the Government to induce them to help Irish Railway Companies, and of the agitation that had been carried on upon this subject for years? Merely this—the right hon. Gentleman expressed a hope that Railway Companies in Ireland would unite, which he knew perfectly well they would not do. He (Mr. M'Carthy Downing) wished the people of Ireland were at liberty to manage their own local affairs. He would endeavour for the rest of his life to obtain for them that liberty, for it seemed that nothing was to be done for Ireland by the British Parliament.

Colonel BARTTELOT said, that before the hon. Gentleman who had just spoken could cut loose the moorings of Ireland from England there were others to be consulted, and England was determined that these moorings should not be cut away. England was very anxious for the interest and welfare of Ireland, and that Ireland should be governed by just laws and by every means that would conduce to her advantage; but she was not going to do for Ireland what she was not prepared to do for herself or for Scotland. Now, he, for one, was not prepared to purchase the railways of Ireland, England, or Scotland. [Mr. M'Carthy Downing: Allow me to say that I have not said one single word in favour of the purchase of the railways.] He asked what the hon. Gentleman's speech had been about, then. Had he been giving the House another example of Ireland by not knowing what he was talking about, or even the subject before the House? The right hon. Gentleman at the head of the Government had said that after mature deliberation the Government had come to the conclusion that they could not advise Parliament to sanction the purchase of the Irish railways by the State; but he should have gone a little further, and have removed all false hopes on the subject of the purchase of any of the railways of the United Kingdom by the State. He blamed those who sat on the front benches on both sides of the House for leading the people of Ireland to believe that something was to be done in the matter of the purchase of the Irish railways by the State; but whatever they would have done, it was a proposition from which the sound sense of the House would have revolted by a large majority. The right hon. Gentleman at the head of the Government had announced that he was prepared to advise that a certain amount of money should be lent to the Irish Railway Companies, at a less percentage than they could obtain it elsewhere, with which to take up their debenture stock. But had the right hon. Gentleman considered that the result of this course would in all probability be to bring forward infinite claims on behalf of other Irish enterprises for similar loans? If Ireland was anxious to prosper she should learn the secret of prosperity. Irish Railway Companies should learn how to amalgamate and how to make their lines pay, and Ireland generally should take care not to frighten away capital, as had been done in the case of the recent riots among the fishermen in Bantry Bay. The proposition to purchase the railways was outrageous and unsound, and one no Government would have a right to undertake. He trusted that the Railway Commissioners who were to be appointed under the Bill which had been introduced by the right hon. Gentleman the President of the Board of Trade would be able to do something to benefit the Irish railways. He should deeply regret that a patronage as extensive as that of the railways should devolve upon any Government, who would be sure to use it for the purpose of serving political purposes.

The CHANCELLOR of the EXCHEQUER said, that the hon. Member for Cork (Mr. Downing) had complained of unfair treatment that he and some friends of his had sustained in not receiving a loan from the Commissioners of the Treasury through the Irish Board of Works for the purpose of finishing a railway between Skibbereen and Dunmanway. He should be unwilling that Irish Gentlemen should think there was any unfairness in the treatment of the hon. Member, and he would therefore state the facts of the case. The railway was founded by an Act of Parliament, in a plain and sensible manner, and it was to cost £80,000, to be raised in two portions; £40,000 by shares, and £40,000 *pari passu* by mortgaging the lands and buildings of the railway. In the original Bill a clause was inserted to the effect that the baronies through which the line passed would guarantee that the dividend for 35 years should not be less than £5 per cent. When the Bill came before the House of Lords a clause was inserted in it under which power was given to authorize the Irish Board of Works to lend such sums as might be required to complete the line, on the security of the guarantee to which he had referred. [Mr. M'Carthy Downing remarked that this provision was contained in the original Bill.] Well, that made no difference. One would suppose that the Railway Company had nothing to do under these circumstances but to set to work to raise its £40,000 of share capital, and to raise the remaining sum required by mortgage, especially considering the boundless wealth possessed, as the House had been informed by the hon. Gentleman, by those interested in it. But the promoters took a different view of it, and this was the plan they devised for making the railway. They proposed to raise £16,000 by debentures, and to borrow £53,000 from the Irish Board of Works, without raising one single sixpence of capital by means of shares. This plan being submitted to the Treasury, he found, among other objections, that though the £53,000 was to be borrowed "upon the said guaranteed portion of the share capital," there was no such guaranteed capital. There was the guaranteed dividend of not less than 5 per cent after the railway had been opened, but that did not guarantee any capital, and would not come into effect till the railway was opened; thus the railway was to be made by money borrowed on the strength of the dividend it was to earn when made. He pointed out, what nobody could doubt, that there being no guaranteed capital in the Act of Parliament, there was nothing on which this money could be borrowed, and therefore he had no security. It was true the directors offered their personal security, and he was sure the hon. Gentleman was a most excellent surety, but there was no power in the Act for him to lend money on personal security, and therefore he had no power to do it. Under these circumstances he was reluctantly obliged to refuse to have anything to do with lending the money, and this railway, which was in the hands of those wealthy gentlemen, remained, he was sorry to learn, unmade, because they could not make up their minds to raise £40,000 in shares.

Mr. DELAHUNTY said, he could not admit the validity of the objections which had been urged to the Motion. He was in favour of placing the railways in the hands of the State, as also turnpike roads in the hands of the county authorities. As a free trader he held that every facility should be given for the transit of goods and passengers. The notion of patronage was absurd, for as Chairman of two railways he could testify that appointments were made by the heads of departments, and that if the directors interfered they would have "all the fat in the fire." If the Government, after purchasing the railways, were to attempt the exercise of patronage, they would be pulled up before the country and punished for their misdeeds. This objection, was therefore, all a bugaboo. For the last 10 years successive Governments had held out hopes of purchasing Irish railways. The present Government had held out such hopes, and had concealed the feeling, only disclosed to-night, of intense hostility to such a measure. Why had they not disclosed it before? Why had they humbugged the country? His belief was that had parties been closely balanced as in former Parliaments, the same humbug would have been continued; but the present Government, thinking themselves too strong to care for the Irish vote, had thrown Ireland over. This would be the feeling in Ireland; but for his own part they had never humbugged him, for he had always said they would never buy the railways. As to State loans, with their unpractical conditions, he would not touch them with a pitchfork. It would be slavery to have anything to do with them, and as to going near the present Chancellor of the Exchequer, nothing would induce him to do so. A loan had been granted to a line in Carlow and Wexford at 5 per cent, but when the company applied for a reduction to 4 per cent, the Chancellor of the Exchequer peremptorily refused, and on himself repeating the application he was contemptuously refused. The Irish companies were disposed to do their best for the country, and they had constructed 2,000 miles for £27,000,000, or £13,500 a mile; while in saving, economic Scotland, the cost had been £25,000; and in England £50,000 a mile. Ireland was unfairly dealt with by the Union. The Irish laws were made by a parcel of Dublin Castle hacks, the Dublin Castle lawyers framing the laws, while the Chief Secretary, a "shave-beggar," as O'Connell called him, passed them through Parliament. There were no business representatives of Ireland in the House, and the many Acts passed for England by business men were not extended to Ireland, on the grounds that the Irish Government took care of that country, and badly they had taken care of it. If Ireland had retrograded it was on account of legislation being in the hands of Dublin Castle. He was for any system which would drag Ireland out of the present sort of legislation it received. Of course a population of 30,000,000 was more effectual than a population of 5,000,000, and if the Prime Minister were to raise the flag of equal legislation for England and Ireland he would have all Ireland at his back; but instead of that he busied himself with sentimental grievances and year after year brought Irish Members over to this country to consider measures that were not worth talking of in comparison to a question like this. The hon. and gallant Member for Sussex (Colonel Barttelot) was mistaken in thinking that Ireland was at the present moment prosperous, she was nothing of the kind. The people were flying out of the country like red shanks, and if there should be a bad harvest for two years successively none of them would stop there. As it was, the population was not larger now than it was at the time of the Union. If England had gone through the same crucial ordeal as Ireland, its population instead of being 22,000,000 would have been only 9,000,000 at the present time. If England through bad laws had her manufactures and trade destroyed and her population reduced like unto Ireland, the country would have passed through many revolutions. What he wanted for Ireland was the same business laws as prevailed in England, and so long as the Prime Minister and Parliament refrained from granting her that boon he maintained it was not disposed to do justice to Ireland. He trusted the result of this discussion would be, not that the Irish would be treated as beggars, but that they would enjoy the same laws as England. The Dublin Castle legislation ought to be abolished, and English business-like laws extended to Ireland. If this were done he did not hesitate to say that Ireland would go ahead "like a house on fire." He hoped the Prime Minister would initiate some movement to give Ireland the benefit of Parliamentary representation, which that country certainly did not now enjoy. Why, he challenged any Irish Member to say that the Irish Members had anything to do with the making of Irish laws. In 1870, for instance, the hon. Member for Armagh (Mr. Vance) introduced a Bill to assimilate the coroner's law of Ireland to that of England; but although four-fifths of the Irish Members were in its favour, the English Members voted against it, and caused its rejection simply because the then Solicitor General for Ireland (Mr. Dowse) opposed the measure. He hoped that henceforth another system of legislation would prevail, and all he could say was that he would not be satisfied with Ireland for the Irish, as he wished to have Ireland, England, and Scotland too for the Irish. Upon that principle he would stand or fall.

Mr. SCLATER-BOOTH said, he saw no reason why the capitalists of the country should be called on to pay towards the making or support of Irish railways when the result was the non-payment of capital or interest, and constant applications to the Government for an extension of the period within which their loans were to be repaid. If the railway referred to by the hon. Member for Cork (Mr. Downing) were as prosperous a concern as he represented it to be, there ought to have been no difficulty in procuring any money that was required in the ordinary way. It had been too much the practice of late years for Irish Railway Companies to knock at the door of the Treasury. The hon. Gentleman who last addressed the House had some reason to complain that the decision of the Government, which was announced this evening, had been so long delayed; because the speech of the noble Lord (the Marquess of Hartington) last year led to the belief that the Government intended to purchase the Irish railways. He was glad that at length some decision had been reached, though he could not say much for the result, when he considered what was the panacea for the grievances of which complaint was made. As to the £5,000,000 or £6,000,000 proposed to be advanced by the right hon. Gentleman at the Head of the Government, he did not see what inducement had been held out to Parliament to make a sacrifice in order to reduce the rates and fares for goods and passenger traffic in Ireland. This question only interested a small number of the Irish railways, as most of them were in a flourishing condition, and he did not think that any case had been made out for an advance such as that which the right hon. Gentleman had proposed. Then again as to the saving anticipated to be made by the amalgamation of Irish railways. It should be borne in mind that the right hon. Gentleman made it a condition that there should be a harmonious union among all the Railway Companies before this could take place; but if they were capable of bringing about such a union they would be in a position to carry out all his suggestions and be quite independent of any assistance from that House. Beyond this, if a reduction of £50,000 a-year were effected in the expenses by amalgamation, such a saving must of necessity be accompanied by £20,000 to £30,000 dead weight of compensation, because it must not be imagined that gentlemen would sacrifice their lucrative positions without stipulating for some compensation.

Mr. MURPHY said, he had been greatly disappointed when the Prime Minister announced that it was not the intention of the Government to purchase the Irish railways, seeing that if ever reparation were due to Ireland it was for the mistakes made by the Government and Legislature of England in regard to the railway system of Ireland and in defiance of the recommendations of the Railway Commissioners. He had been still more deeply grieved to hear the Premier refer to the absorption by the great English companies of portions of the Irish lines as a desirable thing in itself. [Mr. Gladstone: I did not use the word "absorption."] He (Mr. Murphy) wished to see the closest communication between the lines of the two countries; but he failed to see in the measures shadowed out by the Premier any hope of developing branch lines, reducing mileage rates, and generally developing the railway traffic of Ireland. With respect to the amalgamation of the railways for the purposes contemplated by the Government, would it be necessary that every railway in Ireland should unite in coming to the Government, or would it be sufficient that groups of railways should associate together, so that they might expect to obtain the advantages promised by the Government? [Mr. Gladstone indicated his assent to the latter proposition.] He regretted that the Prime Minister, while declining to purchase the Irish railways, had not propounded any plan for the development of them.

Dr. BALL said, that the arguments of the right hon. Gentleman at the head of the Government had no peculiar application to Ireland. They were equally applicable to the purchase by the State of similar property in any other country. He confessed he distrusted all such arguments. The relations of Government and governed differed in different countries, and the wisdom of the world was not centred in England. He found that in France, Germany, Belgium, and even Egypt the railways belonged to the State, and in no one of those countries were they worked at a loss. No doubt, as a rule, he thought that the Government ought not to embark in a trading concern; but there were some exceptions in which immense advantages accrued to the public by the State doing so. The Post Office Department was one of them, in which the Government had never lost by any system of management. The railways were somewhat analogous to the Post Office, inasmuch as whilst the latter was the medium of communication given to the people of one kind, the former was the medium of communication they had of another kind. He did not wish the State to embark in their purchase without experience; but in Ireland the amount to be advanced was small and the matter was comprehended within a limited and defined area. What was asked was that an experiment should be tried there. The request was not made on behalf of the shareholders. He advocated the purchase by the State because he thought that the State would not be a loser in the matter, and because there would be enormous advantages gained by the accomplishment of this object. The railways would be governed with a view to the good of the community rather than the dividends of competing shareholders. In the first place, the good of the community would be vastly promoted in the shape of reduced fares and more convenient means of locomotion; secondly, there were vast and important military and other purposes, with which private individuals had no concern; and if the railways were in the hands of the State that would be a great advantage if there should ever be a trial of strength with the English Government. If it were conceded there would be no pecuniary loss, what were the objections to the purchase? Why should not the country give a guarantee against loss? What was the difference between taking a guarantee from each county under a coercive Act and taking a voluntary one from a county grand jury. Such guarantees had been given and no loss had resulted. It was not fair to compare the railways in Ireland to those in England. The multiplicity of engagements in Ireland was not by any means so great as those in England. The right hon. Gentleman evidently looked at Ireland in connection with this subject through the medium of his knowledge of the gigantic mediums of communication existing in England. He agreed with hon. Members opposite in thinking that there had been certain indications given by the Government in respect to the Irish railways which were not to be met or answered by a mere loan of money. The loan would be a direct benefit to the shareholders—many of whom were English—who were not disposed to give the slightest assistance to the proper development of their usefulness. The reason why the Government interference was now asked was because the railways in Ireland were not managed with that skill and judgment necessary for the benefit of the country. What was asked for was that which they knew would benefit the country and at the same time give safety and security to the Government. His own opinion was that in the course of time those railways, in the hands of the Government, would produce an increased and safe revenue. It had been asked by the hon. Member for Cork (Mr. Downing) why it was that so much had been done by the Government for India and our other Dependencies, and so little in the way of pecuniary benefit for Ireland. He was unable to lay the whole blame of this upon the Government; but he recalled the proposition of Lord George Bentinck, supported by Mr. Drummond, to provide Ireland with a well-considered scheme, which would develop her resources, and which was defeated by the Irish Liberal Members. If the right hon. Gentleman at the head of the Government found that the Irish Members, though sometimes failing him in debate, never failed him in the lobby, why was he to incur the opposition of his English and Scotch supporters, who might not entertain, perhaps, such generous views as himself? The Chancellor of the Exchequer last night used a phrase which elucidated and explained this point. He spoke of the rebellion which had occurred on the Ministerial side of the House. What was rebellion? Rebellion implied the relationship of Sovereign and subject. Who were the subjects that rebelled? For once the Irish Members, who ventured to oppose by their votes the Education Bill of the Government. They were rebels — he trusted repentant rebels—and he hoped that in their repentance they would remember the language of the Chancellor of the Exchequer that night, and the end of the promises of Her Majesty's Government on the subject of the purchase of the Irish railways.

Mr. H. A. HERBERT said, he regretted that the Government had not acceded to what were the unanimous wishes of the Irish people. He believed that if the State acquired control over the Irish railways it would lead to great economy of management and much benefit to the entire country. Under the present system there was waste and mismanagement, as might be shown by the fact that in the county of Cork lines which together were 72 miles in length were under the care of 32 directors, and other lines, 78 miles in length, had the benefit of being looked after by 44 directors, four traffic managers, four secretaries, and several solicitors and engineers. He denied that in the question of railways the Irish people had shown any want of enterprise.

Mr. LAING said, the question of the purchase of railways generally by the State might be at once dismissed without any serious consideration. He was convinced that a system of Government management of railways in the United Kingdom would be totally unsuited to the wishes and habits of the community; but, at the same time, he admitted that the Irish railways might be looked upon as an isolated case, entirely separate from the English railways. The area was limited; the railway system was not extensive, and required simplicity of management, coupled with as low a tariff as possible. He thought the Prime Minister in estimating that a consolidation of the railways in Ireland would save £50,000 or £60,000 a-year was quite within the mark; and as regarded the fares, he (Mr. Laing) believed that a reduction of one-half, though attended with some temporary loss, would, in five or six years, be recouped. The Irish people offered to give a guarantee that there should be no loss to the taxpayer, and if the guarantee was valid in the abstract their proposal was a reasonable one, and might be fairly entertained. The practical question was how to give effect to it. There were two ways. They might adopt the compulsory purchase of the railways by the State, and then lease them to a company to work. That solution was adverted to by the Prime Minister, and he seemed to think that if it were a financial question it might be entertained; but that there were great practical difficulties in the way. The difficulty in his (Mr. Laing's) mind was entirely a financial one. If that were removed, it would not be difficult to find companies to work these lines on lease, for terms of years and at fixed rates, to be settled by the State. The proposal of the Prime Minister was a practical one, and as a condition of such assistance the companies might be required to reduce their fares by 20 or 25 per cent, and to agree to a periodical revision. The adoption of an abstract Resolution would raise exaggerated expectations and enhance the value of the shares, and the most convenient course would be to negative the Motion, on the understanding that if hereafter the companies would amalgamate or offer to sell on reasonable terms the question would be considered. He doubted if the question of purchasing all the railways of the kingdom by the State would be ripe for practical solution in the lifetime of the present generation.

Colonel WILSON-PATTEN said, he regretted that he could not vote for the Motion, for, though sensible of the evils of the existing system, he felt the evil of an intimation by the Government of an intended purchase, the result in the case of the telegraphs having been that the price went up so considerably previously to the completion of the purchase that it became doubtful whether a reasonable bargain could be made. The hon. Member for Cork (Mr. Downing) had said that the Irish railways were treated differently from those of England; but he would not consent to any treatment of the one different from that of the other. On the contrary, knowing the difficulties that Ireland laboured under in that respect, he would consent to no difference of treatment for Ireland except in a direction favourable to Ireland. In fact, the statement of the hon. Member for Cork showed that that was the case; because the manner in which he stated he had raised money for railway purposes would not be permitted to be done in England. While English railways were not allowed to borrow more than one-third of the amount of their capital, Irish lines were allowed greater latitude, and the Standing Orders Committee, whenever practicable, relaxed the Standing Orders in view of the difficulties which those lines encountered. A proposition of this kind should emanate from Ireland, by the shareholders, or other persons interested, stating on what terms they would sell, whereupon the country could consider the matter. The railway system of Ireland was disunited; the different companies were jealous of each other, and he would advise those interested in Irish railways to follow the example of England and unite themselves under one management, when their position would be considerably improved. A healthy competition, would remedy the grievance; but as the latter was not likely to be accomplished, the next best thing was amalgamation, which would lead to a saving in management. He suggested the appointment of another Committee to inquire into the subject, a mode by which the House would be able satisfactorily to deal with it both in the interest of shareholders and the public generally.

MR. GOLDSMID said, in deference to the opinion of the Prime Minister, he would withdraw his Amendment, in order that the division might be taken on the original Motion.

Amendment, by leave, *withdrawn.*

Main Question put.

The House *divided:*—Ayes 65; Noes 197: Majority 132.

WILD BIRDS PROTECTION.

MOTION FOR A SELECT COMMITTEE.

MR. AUBERON HERBERT, in rising to move that a Select Committee be appointed, with power to take evidence, to inquire into the advisability of extending the protection of a close season to certain Wild Birds not included in the Wild Birds' Preservation Act of 1872, said, last Session a Bill was brought in to protect a similar class of birds. It was enlarged so as to include all birds, and in the end a compromise took place, to the effect that hon. Members who opposed legislation would cease to do so provided certain birds were not included. He had received a great many letters from different parts of the country on the subject. One young lady wrote to inquire why the amiable and accomplished chaffinch had been left out of the Act? Another wrote—"What sort of a protection is this when you find no room for the thrush?" And a third wrote—"If the Members of your House of Commons are fond of pleasant sights and pleasant sounds, I cannot help thinking that the song of the blackbird will always be a reproach to them." All he asked for was an inquiry, and he had the fullest confidence that his clients would make out a case for including these and other birds in the Act of last Session.

SIR HENRY HOARE said, he hoped the House would grant the Committee not only on the score of humanity, but because linnets, chaffinches, and birds of that description were interesting in themselves, and afforded pleasure to many persons amongst the humbler classes.

Colonel Wilson-Patten

Motion made, and Question proposed,

"That a Select Committee be appointed, with power to take evidence, to inquire into the advisability of extending the protection of a close season to certain Wild Birds not included in the Wild Birds Preservation Act of 1872."—(*Mr. Auberon Herbert.*)

MR. BARCLAY opposed the granting of a Select Committee, on the ground that many of the birds in whose interest the Committee was asked for did very considerable injury to the crops of farmers and market gardeners. The House devoted a large amount of time to the consideration of the subject last Session, and it would be well to wait and see what was the effect of the legislation which was then passed. He considered the present Motion altogether unnecessary.

MR. CLARE READ also opposed the Motion. The hon. Member for Nottingham ought to be satisfied with the victory he achieved in this direction last year. He succeeded in changing a very useful Bill into a silly unworkable Act of Parliament. When the Wild Fowl Bill was introduced to the House by his hon. Friend the Member for South Essex (Mr. Johnston) it was a measure which, whether a Member was a sportsman, a naturalist, or a lover of a good dinner, could be understood and appreciated. But the Committee had introduced into the Schedule a number of birds that were quite capable of taking good care of themselves. The question was not whether blackbirds and thrushes could sing sweetly and eat snails—no one doubted that—but whether fruit could be protected from their ravages without shooting them. He quite agreed with his hon. Friend the Member for Forfarshire (Mr. J. W. Barclay) that the Game Laws were a great protection to small birds, not only, as he had mentioned by the destruction of birds and animals that preyed upon them, but also in the unmolested sanctuary they enjoyed during the breeding season in the plantations and woods were game was preserved. We should soon have a close season, not only for hares and rabbits, but also for rats and mice. The House of Commons was supposed to be a place for the transaction of business, and not for the discussion of ornithological questions, and he hoped the time of hon. Gentlemen would not be wasted any further upon such a matter, for however interesting the inquiry might be to the naturalists, the result would be the extension of legislation in a direction which he considered had already gone too far.

Mr. DILLWYN said, he thought that much useful information with regard to the habits of birds would be obtained if this Committee were appointed. At the present moment hedge sparrows were condemned because they were sufficiently unfortunate to bear the name of sparrow, although they were as totally distinct in their habits and nature from those much-abused birds as the owls were from the pigeons, and he had heard a man, misled by the name, say that the wheatears came in the autumn to eat the ripe corn, whereas, in fact, they always came in the spring. As a practical observer of birds all his life, his conviction was that there was no bird that did not do more good than mischief. What was wanted was to prevent, the wholesale capture or destruction of these birds, for the purposes of sale, during the close season.

Mr. LIDDELL said, he hoped the House would grant the inquiry which had been asked for.

Mr. BRUCE suggested for the interest of both parties that the Committee should be granted in order to ascertain whether the Bill of last year should be amended by enlarging the Schedule.

Mr. ASSHETON said, he thought the Act required amendment because it was founded on a wrong principle—namely, that birds should be destroyed unless it could be shown that they were harmless; whereas the true principle should be that no birds should be destroyed in the breeding season unless it could be shown that they were mischievous. This would throw the onus of proof on the destroyer.

Mr. PARKER moved, as an Amendment, that the Committee should be granted for the purpose of considering the advisability "of amending" the Act of last Session.

Amendment proposed,

To leave out the words "extending the protection of a close season to certain Wild Birds not included in," in order to insert the word "amending,"—(*Mr. Stuart Parker*,)

—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put.

The House *divided*:—Ayes 162; Noes 16: Majority 146.

Select Committee *appointed*, "with power to take evidence, to inquire into the advisability of extending the protection of a close season to certain Wild Birds not included in the Wild Birds Preservation Act of 1872."

And, on May 15, Committee *nominated* as follows:—Mr. Sturt, Colonel Parker, Mr. Rowland Winn, Colonel Beresford, Mr. Sykes, Mr. Hambro, Mr. Dillwyn, Mr. Andrew Johnston, Mr. H. B. Samuelson, Sir David Wedderburn, Captain Greville, Mr. Heron, Mr. Jones, Mr. Price, and Mr. Auberon Herbert:—Power to send for persons, papers, and records; Five to be the quorum.

PARLIAMENT—BUSINESS OF THE HOUSE—RESOLUTION.

Sir HENRY SELWIN-IBBETSON moved the following resolution:—

"That when the House after a Morning Sitting resumes its Sitting at Nine o'clock, and it appears on Notice being taken that Forty Members are not present, the House shall suspend Debates and proceedings until a quarter past Nine, and Mr. Speaker shall then count the House, and if Forty Members are not then present, the House shall stand adjourned."

He regretted that the Rule of the House, which would not allow Opposed Business to be proceeded with after half-past 12 o'clock, precluded his bringing forward other Resolutions which he had also placed upon the Paper.

Resolution *agreed to.*

BUILDING SOCIETIES (No. 2) BILL.

LEAVE. FIRST READING.

Mr. WINTERBOTHAM, in rising to move for leave to bring in a Bill to amend the law relative to Building Societies, explained that it was a Bill of only 11 clauses, and was for the better regulation of these societies. The necessity for such legislation was shown by the three or four Bills for that purpose which had been introduced by those interested in such societies during the present and previous Sessions. The Government had fully recognized the necessity for such legislation, and they had, as the House would remember, appointed a Royal Commission to inquire and report upon the subject. The Royal Commissioners had fully considered the matter, and reported thereon in 1872; and the House was under great obligation to the Commissioners for the care bestowed upon the investigation. The Report was presented too late to enable the Government to prepare a satisfactory measure last Session, although they had been pressed to do so by those acting on behalf of the societies. Had they done so without due consideration, it would have been treating with slight respect the elaborate Report made by the Commissioners. The Government had now fully considered the subject and the Bill introduced by the hon. Member for South Lancashire. In 1836 an Act was passed for the management of building societies, incorporating certain Acts then in force with respect to friendly societies, under which Act all building societies were now carried on; and, although originated and conducted as friendly societies, they had outgrown the original intention and developed to enormous proportions, being now of a totally different nature. The Commissioners in their Report pointed out that, in the place of terminating societies originally existing, permanent societies now predominated, and powers to regulate them were now necessary. He did not think the growth and change in the organization of these societies were to be regretted. Building societies had been the means of great good, and the Government were desirous to encourage them. The change in the character of these societies had given rise to difficulties, especially in three points. 1. It was doubtful which friendly society Acts, in fact, applied to them. 2. As to the exercising of borrowing powers, which, after being recognized for 20 years, had been declared illegal, and again in 1869 partially recognized. Next, as to the mode of issuing fully-paid-up shares, which had been questioned by the present Lord Chancellor when at the bar. Parliament should now, therefore, deal with this subject fully and definitely. The Bill introduced by his hon. Friend (Mr. Cross) dealt compulsorily with all classes of societies but terminating societies, extending their powers and confirming their past transactions. The Government were not prepared to go so far as that, and to deal thus compulsorily with societies varying so much in detail, and of which even now little was known, for the Royal Commissioners were unable to estimate even the number of them. Again, many of the existing societies were satisfied with their present position, and did not wish to be interfered with. Their members might fairly object to finding themselves members of societies of much more extended character. The main feature of the Bill which he now laid before them was, that it was wholly permissive. Secondly, if any building society chose to register under it the effect would be simply to incorporate it without change of any kind as to its organization or the liability of its members—a most important consideration; in fact, the societies were of many different kinds. Thirdly, the Bill would give powers to societies so incorporated to extend their purposes, to acquire powers to borrow, issue paid-up shares, and to confirm any past transactions as if such powers had existed. The Government had not desired and did not intend, as had been suggested to make Joint Stock Companies of them. That would be an impossibility. The hon. Gentleman then quoted from the Report of the Royal Commission to show the essential difference between a Joint Stock Company with a fixed capital divided into shares and building societies, whose capital was constantly fluctuating. It was necessary now to find some simple law for these incorporated building societies. The law as to Joint Stock Companies was clearly inapplicable. A new and special law was contained in the 40 clauses of Mr. Cross's Bill. The Government proposed to apply such clauses of the Companies Act of 1862 as were suitable to these societies. If hon. Members would take the trouble of comparing the clauses with the 40 clauses of the Bill already before the House, they would find a singular parallel. He would point out that every clause of the Companies Act had been thoroughly discussed in the Law Courts, and the advantage thus gained over a Bill of which every clause would have to stand the test of litigation was, in his estimation, very considerable. The code proposed in the Bill of Mr. Cross must go through a like ordeal; whereas the Act of 1862 was entirely understood, and its clauses applying to building societies were thoroughly workable. It must, however, be distinctly understood that, if they gave a new *status* to building societies, Government responsibility must cease, and the registration be an open one. At present the Registrar certified to some extent the legality of the rules; but this must no longer exist. The registration must be absolutely free from Government control or responsibility. He was aware that in this matter they were at variance with the Royal Commissioners; but there must be no misunderstanding on that score. The societies must be totally free—free to do as they liked, and not subject to the control of the Government at all. Government were anxious to show their good will to these societies; and were prepared to say to them that, although it would be impossible to justify the enjoyment by these large societies of the fiscal exemptions they had enjoyed as friendly societies, yet he had the authority of his right hon. Friend the Chancellor of the Exchequer in saying that, if this measure were accepted, every exemption which they had hitherto enjoyed should be secured to them. [MR. ASSHETON CROSS: And new societies?] No. Societies to be hereafter established must not expect and would not enjoy any such exemptions; and they would have to be formed under the proposed Bill of the Government—that is, under the Companies Act. Save as to these exemptions, old and new societies would be in exactly the same position. He would ask the House to fully consider the details of this measure, and compare it with the Bill already before the House. He would also ask those acting on behalf of the building societies to fully consider it; and he trusted that all parties would help to the passing of such a measure as might be found advantageous to the interests concerned. [MR. ASSHETON CROSS: What day does the hon. Member fix for the second reading.] Monday week.

Motion *agreed to.*

Bill to amend the Law relating to Building Societies, *ordered* to be brought in by Mr. WINTERBOTHAM, Mr. Secretary BRUCE, and Mr. SOLICITOR GENERAL.

Bill *presented*, and read the first time. [Bill 141.]

LOCOMOTIVES ON ROADS.

Select Committee *appointed*, "to inquire into the effect of the use of Locomotive Engines on Turnpike and other Public Roads, and as to the limitations and restrictions which ought to be imposed by Law on their use upon such roads for securing the public safety and protecting the public interests."—(*Mr. Cawley.*)

And, on May 6, Committee *nominated* as follows:—Mr. HIBBERT, Mr. FREDERICK STANLEY, Mr. BIDDULPH, Mr. WILBRAHAM EGERTON, Mr. JAMES HOWARD, Mr. HICK, Lord GEORGE CAVENDISH, Mr. HOLT, Mr. HURST, Mr. ASSHETON, Mr. WILLIAM WELLS, Sir GEORGE JENKINSON, Mr. FORDYCE, Mr. GREVILLE-NUGENT, and Mr. CAWLEY:—Power to send for persons, papers, and records; Five to be the quorum.

DIVORCE BILLS.

Select Committee on Divorce Bills *nominated*:—Mr. SPENCER WALPOLE, Sir JOHN PAKINGTON, Mr. BONHAM-CARTER, The LORD ADVOCATE, Sir CHARLES ADDERLEY, Colonel FRENCH, Mr. GATHORNE HARDY, Mr. HEADLAM, and Colonel WILSON-PATTEN.

PRISON OFFICERS SUPERANNUATION (IRELAND) BILL.

On Motion of Sir JOHN GRAY, Bill to amend the Law relating to the Superannuation of Prison Officers in Ireland, *ordered* to be brought in by Sir JOHN GRAY, Mr. PIM, and Mr. ION TRANT HAMILTON.

Bill *presented*, and read the first time. [Bill 142.]

House adjourned at
One o'clock.

HOUSE OF COMMONS,

Wednesday, 30th April, 1873.

MINUTES.]—SELECT COMMITTEE—Tramways (Metropolis), Sir Francis Goldsmid *discharged*, Lord Henley *added.*

WAYS AND MEANS—*considered in Committee*—CUSTOMS AND INLAND REVENUE.

PUBLIC BILLS — *Ordered* — Law Agents (Scotland) *.

Second Reading — Women's Disabilities [17], *put off.*

Committee—Report—Vagrants Law Amendment* [120-143].

Considered as amended—Poor Allotments Management * [113].

WOMEN'S DISABILITIES BILL. [BILL 17.]

(*Mr. Jacob Bright, Dr. Lyon Playfair, Mr. Eastwick.*)

SECOND READING.

Order for Second Reading read.

MR. JACOB BRIGHT: Mr. Speaker—Sir, in rising to move the second reading of this Bill, I am the last person to forget that it has already been three times rejected by the House. It might, therefore, be said — in fact, it has already been asked — "Why bring it forward again? Why not wait until another election before troubling Parliament again with a discussion upon this measure?" I think that powerful reasons may be given why I should not be influenced by that advice. In the first place, it is a mistake to suppose that the same House of Commons which rejects a Bill will never consent to pass it. I could give many instances of greater or less importance to show that that is not the case. The Parliament which placed Sir Robert Peel in power in the year 1841 was a conspicuous example. In that Parliament my right hon. Friend the Member for Wolverhampton (Mr. C. P. Villiers) asked again and again that the Corn Laws might be repealed, and over and over again the House of Commons rejected my right hon. Friend's proposition. But in the year 1846 the same House of Commons which had refused to listen to him passed a measure repealing the Corn Laws. Then again, in 1866, the House of Commons which refused to pass the £7 Franchise Bill, in the year 1867 gave us a Franchise Bill of a much wider character. It may be said, however, that on the occasions to which I have referred there was an irresistible outside pressure which does not exist in regard to this Bill. It is perfectly true that no such outside pressure does or ever can exist with regard to this Bill; but, Sir, there is a pressure before which the House might yield with quite as much dignity as it showed in yielding on the occasions to which I have referred—namely, the pressure of accumulating reasons which receive no answer, the pressure of opinion in favour of this Bill which is gradually growing in volume, and which I think many hon. Members will admit is making itself felt in their constituencies. I see my hon. Friend the Member for Bath (Mr. Dalrymple) on my left, and if he should speak during the course of this debate, perhaps he will tell the House what is the state of feeling in his constituency upon this question, because I noticed that the two candidates who came forward to contest the vacant seat for that constituency—both the Liberal and the Conservative candidate—have, as I am informed, given in their adhesion to this question, not that they were much, if at all, in favour of it before they came forward as candidates, but because they found that the opinion in the city of Bath is so strongly in favour of the principle of this Bill that they felt themselves bound to accept it. If, however, in giving Notice of the second reading of this Bill, I had been perfectly sure that the House would again reject it, I should not have deviated from the course which I have taken. We are accustomed in this House to discuss a Bill, to vote upon it, again and again endeavouring to carry it if we can, but if we fail to carry it we know that we have accomplished something else. We have taken the best means in our power to instruct the people upon a great public question. The substance of this debate will be carefully reported in the newspapers, the report will go to every town and village in the United Kingdom, and to every English speaking country under British rule; and therefore we shall secure that, for at least one day in the year there will be a general discussion on a question so deeply affecting the interests and privileges of a large portion of Her Majesty's subjects. But there is another reason for bringing forward this Bill, and which I think justifies me in again asking the House to discuss it. No year passes by in this country without producing changes which affect the position of a public question—changes which tend either to hasten or to retard the period of its settlement. Well, Sir, such a change took place last year when the Ballot Bill was passed, and I think no one will be more willing to admit that than the hon. Gentleman opposite the Member for the University of Cambridge. Men are no longer subject to criticism in giving their votes; they are not answerable to the public or to their neighbours. They have complete irresponsibility. Before the passing of the Ballot Act, it was said that a vote was held in trust for those who had it not. That doctrine has been swept away. Now 2,000,000 of men vote in secrecy and in silence. Women are driven further than ever into the political shade, and are more thoroughly severed from political influence than they ever were before. And, Sir, if I needed any corroboration of this, I need only point to the countless speeches which have been made in this House to show that this view is correct. The passing of the Ballot Bill, then, has strengthened the claim of women to the Parliamentary franchise. But it has also done another thing. It has removed some objections to the proposed change. We were told that there was great turbulence on the day of election, and that there were scenes of such a disreputable character that no right-minded man would desire a woman to partake in them. The Ballot has now been tried in the largest as well as the smallest of the constituencies. It has been tried in England, in Scotland, and in Ireland, and whatever else it may have accomplished, we have found that it has succeeded in securing peace and order at the poll. I believe no one will deny that a woman can now go to the polling booth and return from it with far greater ease than she experiences in making her way out of a theatre or a concert-room. Anyone having introduced a Bill into this House, very naturally looks with interest to the views of the leaders of the House upon that Bill; and although the right hon. Gentleman the Prime Minister is unfortunately not in his place, I am entitled to make a few remarks upon his altered position in regard to this question. Two years ago the right hon. Gentleman acknowledged that women ought to have a share in political representation; he made an objection to the personal attendance of women at the poll. That seemed to me to be the right hon. Gentleman's chief difficulty. The Prime Minister also referred to the Ballot, and said he was as yet uncertain what effect it would have, whether it would produce order at elections or not. If the right hon. Gentleman was here I think he would admit that the Ballot has had the effect of producing order at elections, and he would be no longer able to object to the personal attendance of women at an election upon that ground. The right hon. Gentleman spoke of the representation of women in Italy, where it is understood they vote by proxy, and said if something of the sort could be contrived for this country he should not object to take such a proposal into consideration; but if women were to vote by proxy they would lose the protection of the Ballot, for, so far as I know, no one can vote by proxy and vote in secret. It appears to me, Sir, now that the Ballot has become law, that the speech which the Prime Minister made two years ago puts him in such a position with regard to this question as to render it very difficult for him to say a single word against it again. There is another Bill before the House of Commons which deals with the Parliamentary franchise, and which is in the hands of my hon. Friend the Member for the Border Burghs (Mr. Trevelyan). That Bill proposes to equalize the county with the borough franchise, and if it is carried will give an addition of 1,000,000 voters, whereas this Bill will give an addition of from 200,000 to 300,000 voters. I acknowledge the justice of this Bill of my hon. Friend, but if justice demands that 1,000,000 of men should be added to the register, which already contains the names of 2,000,000, justice even more urgently demands the admission of 300,000 women, seeing that up to this time women have not a particle of representation. Now, there are Members in this House—political friends of mine—sitting near me at the present moment, who are pledged to support the Bill of the hon. Member for the Border Burghs, but who persistently vote against this Bill, and yet, so far as I have been able to ascertain, there is not a single argument that has ever been used, or that ever will be used with regard to the County Franchise Bill, which does not tell even with greater weight with regard to this Bill. The position occupied by those Liberal Members who support the one measure and vote against the other seems to me to be one of great inconsistency. I am bound to say that they have not satisfactorily explained their conduct. We have been told that it is a great anomaly to give votes to persons on one side of the borough line and to refuse them to those whose houses are situated on the other side of the borough line; but, Sir, I wish to bring about a state of representative equality between persons who are separated by no line whatever, but who are citizens of the same community. My attention was called the other day to a row of 20 substantial houses in a street in Manchester, and I was told that 16 of those houses had votes, 16 of those families were represented in this House. They had control over the taxes which they were called upon to pay, and had an influence in the making of the laws which they were all bound to obey. But four out of those 20 houses had no votes, four of those families were unrepresented, and the only reason why those four families are unrepresented in this House is because the heads of those four families are women. Now, Sir, in municipal matters, and with regard to the school board elections, women, so far as voting is concerned, are placed in exactly the same position as men; and

I must remind the House that women have been put in that position by Parliament because they have an equal interest with men in municipal and school board questions. Those votes were given to women with the consent of the Liberal Members of this House, and they were given for the reason which I have stated. But a more powerful reason exists why women should be entitled to a Parliamentary vote. We do not deal here simply with local taxation. We deal with the interests of men and women in the widest possible way; their property, their lives and liberties are under our control, and hence the necessity of that protection which the franchise alone confers. When this County Franchise Bill comes in we shall be told that the vote will have a considerable influence upon the condition of the agricultural labourer, that it will have an effect upon legislation favourable to him. The land laws and the game laws will have to be dealt with; in fact if the County Franchise Bill becomes law the condition of the agricultural labourer will assume an importance hitherto unknown. All this is true, but will any hon. Gentleman say that it is not equally true with regard to the Bill which I hold in my hand. I cannot discuss this question without referring to the County Franchise Bill. I am bound to refer to it because I want to know why that Bill is to be supported and this rejected. I do not want to be put off with reasons that will not bear reflection, but I should like to have reasons given that will have some weight with those who are agitating this question out-of-doors. It is a common belief on this side of the House, that should the Government meet another Session of Parliament the County Franchise Bill will be one of their principal measures. Well, Sir, how will the Prime Minister be able to accept that Bill and reject this. It has been said that when he once takes up a position he never goes back. I have explained the position which he has taken with regard to this Bill. He said, two years ago—

> "That the law does less than justice to women," and added, "If it should hereafter be found possible to arrive at a safe and well-adjusted alteration of the law as to political power, the man who shall attain that object . . . . will, in my opinion, be a real benefactor to his country."—[3 *Hansard*, ccvi. 95.]

That is the language of the Prime Minister. The Bill before the House is supported by a powerful organization. The Petitions and public meetings in its favour grow from year to year. The inequalities in the law between men and women, owing to the fact that women are unrepresented in Parliament, are admitted on every hand. Over 200 Members of the present Parliament have supported the Bill. These are considerations which should not be forgotten when the Government again undertakes to improve the representation of the people. There are many landowners in this House. If the County Franchise Bill ever passes through Parliament it must be with the consent of the landowners. If there be any of them present now I would like to ask them whether they think it right to give a vote to the agricultural labourer and to deny a vote to the farmer? The Census of 1861 shows that there were about 250,000 farmers and graziers in England and Wales, and one-eleventh part of that number were women. The proportion of women farmers would be still greater if women did not labour under political disabilities. In England and Wales there are no fewer than 22,708 women who are farmers and graziers. The landowners trust their land to these women, who have to provide the rent, to pay the wages, and to look to the whole economy of their farms. I ask the question whether the landowners intend to give a vote to the agricultural labourer and to deny it to those who direct his work. Perhaps some may doubt whether women are really farmers, and in order to satisfy that doubt I will read a short extract from a back number of *The Field*. *The Field* says—

> "But it may be said, What business have women with farming? It is nonsense to suppose a woman can farm successfully. In answer to this query, the report of the competition for the 100 guineas prize for the best-managed farm in the central districts of England may be referred to. It is published in the last number of *The Royal Agricultural Society's Journal*. Twenty-one farms competed for the honour. It was awarded to the tenant of Ash Grove Farm, Ardley, near Bicester, as showing the best example of good general management, productiveness, suitability of live stock, and general cultivation with a view to profit. The farm is one of 890 acres, 820 being arable and 70 pasture. 1,000 sheep and 70 cattle are wintered annually. Cake to the amount of £1,200 is purchased yearly. The labourers work by piece-work as much as possible, and no beer is given. The judges said the farm was an exceedingly good

example of a well-managed one. But, though the Royal Agricultural Society have awarded the tenant the first prize, they refuse to second the honour by the advantages of membership, for the simple reason that—she is only a woman."

I would like, in consequence of that remark of *The Field,* to refer for a moment to the general injustice with which women are treated, merely because they are women. I will make another quotation from *The Field* on this subject—

> "The farmers of England include a very considerable proportion of women among their numbers. These not only labour under the disadvantages which are inseparable from their sex, but are most unjustly, not to say ungallantly, deprived of certain advantages which are enjoyed by their masculine competitors. The Royal Agricultural Society of England confers on its members certain valuable privileges. They can have their superphosphates and purchased fertilisers analysed at a nominal rate by the agricultural chemist to the society. They are protected from imposition in the purchase of oilcake. Their soils can be carefully examined. They can exhibit at the annual meeting under more favourable conditions than strangers. These advantages, strange to say, are denied to those women who are farmers."

I entertain the belief that if we wish to get rid of this general practice, and it has been shown to be a general practice throughout the country, of treating women unjustly merely because they are women, we could use no more effective means than to remove the stamp of inferiority which must attach to them as long as their political disability is maintained. In order to show the House how Parliament—no doubt unconsciously—sometimes treats women with intense injustice I will refer to one fact. The trial of election petitions is now a local one, and the locality is rated in order to defray the expenses of the inquiry. Consider for a moment how that affects women. That law was passed in 1868. This question of the political disabilities of women had then only once been brought before the House of Commons. Had the attention been given to the subject which it has since received it is possible that the House would not have legislated in the manner in which it did with regard to the trial of election petitions. Well, Sir, there was an election inquiry at Bridgewater under the provisions of the Act of 1868. After that inquiry, when the bill had to be paid, the women of Bridgewater, that is the widows and unmarried women of Bridgewater, met together and got up a memorial to the Prime Minister, and this is the only part of the memorial which it is necessary to read to the House:—

> "We, the undersigned widows and unmarried women of the town of Bridgewater, in the county of Somerset, beg to lay before you, as First Lord of the Treasury, an account of a most heavy and unjust taxation which has been levied on us in common with the other householders of this borough for the payment of the expenses of the Commission. We feel that it is unjust, inasmuch as we are not exercising the franchise and have not been concerned either directly or indirectly in the illegal practices, that we should be required to pay not less than 3*s.* in the pound according to our rental."

Now I put it to the House whether a portion of Her Majesty's subjects who have no representation in this House should be subjected to such a tax? We all know very well that Members might be returned for Bridgewater or anywhere else who on some questions affecting women might vote entirely against their views. Women could not have participated in any of the practices which led to that inquiry. In replying to this memorial, the Secretary of State for the Home Department expressed his regret that the malpractices of a portion of the inhabitants of Bridgewater should have necessitated the expense of a Royal Commission. He regretted it very much, but added that it was not in the power of the Secretary of State to exempt women owning or occupying property from the Imperial or local taxation to which such property was liable. It is, however, in the power of Parliament to give to the property of women exactly the same privileges which are attached to the possession of every other kind of property, and that would remedy the injustice. In the case of Bridgewater it may perhaps be said that the innocent suffer all through with the guilty; that a great many men had to pay this tax who were innocent of bribery or corruption. That is true; but at least it should be borne in mind that the men had some control over the election, and also had the benefit of representation, whereas the women had not. Whilst speaking on this subject I wish to refer for one moment to the proposition of the hon. Member for Brighton. The hon. Member for Brighton asked the House to enact that the necessary expenses of Parliamentary elections should be defrayed out of the local rates. I have voted for that proposal, although I am constrained to admit that looking at the proposition from a disfranchised woman's point of view, it would be unjust for Parliament to pass such a law, because we have no right to impose such a burden upon persons whom we shut out from representation. In the last Session of Parliament we took great pains on the subject of illiterate voters. It was interesting to see the two Houses of Parliament spending I do not know how many hours in devising schemes by which men who were too stupid to vote without assistance should, nevertheless, be enabled to record a vote. We devised one scheme, and one scheme was devised in the other Chamber, and I am bound to say that these unfortunate men have taken advantage of the labour which we bestowed upon them. In the recent elections illiterate electors have shown no reluctance whatever to come forward and express a desire to influence the proceedings of this House. Take for example the last election at Pontefract. 1,236 men polled, and out of that number there were 199 persons who declared themselves unable to vote without assistance. That is nearly one-sixth of the whole number of voters polled. Now, Sir, am I putting forward an unreasonable claim, or demanding anything very extravagant when I ask the House of Commons which has bestowed so much care in devising means to enable illiterate men to vote not to continue to withhold the suffrage from women of education and property? During these discussions it has not unfrequently been mentioned that the highest political functions of the realm were performed by a woman, and in my opinion it is not of slight importance to the question under debate that this is the case, and I am especially reminded of it by the late Ministerial crisis. We outsiders on that occasion obtained a very interesting glimpse as to how the Royal duties were performed. Judging from the statements made to the House by the two right hon. Gentlemen, those duties were discharged with the greatest tact and judgment, and with the utmost anxiety to smooth the way to obtain a Government to carry on the Business of the country. The right hon. Gentleman the leader of the Opposition, speaking some time ago at Hughenden Manor, made a very remarkable statement with respect to the duties of the Crown. He described them as multifarious, weighty, and increasing, and remarked that no head of any Department of the State performed more laborious duties than those which fell to the Sovereign of this country. Well, Sir, if this is true, and and no one can doubt the correctness of such a statement, when it is made by a Gentleman who has himself filled the office of Prime Minister, it appears to me to be a very extraordinary thing that the educated women of this country should not be allowed to do so simple a thing as to record their votes for a Member of Parliament. There are some countries where the Salic law prevails, under which no woman is permitted to wear the crown. If anybody should make that proposition here—namely, that after her present Majesty no woman should again wear the crown of England, I venture to assert that there is not a man in the whole British Empire who would hold up his hand in favour of such a proposition; and when women come to exercise the franchise—and they will come to exercise it sooner or later—it will be just as impossible to go back to the old state of things as it would now be to introduce the Salic law into this country. There is one reason which operates on this side of the House against admitting women to the franchise, to which I wish to refer; the objection that women are too much under the influence of ministers of religion. There are many influences at work during an election. We have the influence of the large landowners, and of the large manufacturers, we have the influence of the trades unions, and we have the influence of that vast trade which supplies intoxicating liquors to the people, and I would say that the influence exercised by ministers of religion is at least not the worst of these various influences. I think, moreover, that Members show a singular inconsistency in advancing such an argument, when they are in favour of planting a minister of religion in every parish in England and Wales, and approve of the Bishops occupying seats in the House of Peers. Supposing that women were a more criminal class than men, it would perhaps be argued that it would be unwise to admit them to the franchise. But what are the facts of the case? Taking the judicial statistics of England and Wales for the year 1871, and looking at the number of summary trials, I find that the total number was 540,000, but only 105,000 out of that 540,000 were women. Therefore women are clearly not a very dangerous class; and if we look at those cases proceeded against on indictment, we should find the proportions about the same. The hon. Baronet the Member for Maidstone (Sir John Lubbock), intends to bring in a Bill to apply the Factory Laws to shops. Legislation for factories, the limitations put upon the labour of women, have not interfered with their means of gaining a livelihood, because factories cannot be worked without them. Shops can be managed without them, and therefore a proposition to apply the Factory Acts to shops should be carefully considered. In matters so gravely affecting the interests of women there should be some constitutional means of ascertaining their views. In conclusion I may say that no answer has been made to the case—I do not mean the imperfect case which I have from time to time placed before the House. I mean that no answer has been made to the general case which has been placed before the country by scores of women of education and position who have undertaken to win this battle. I say no answer has been made to their claim, and therefore the demand grows and the agitation becomes more powerful. In the debate which occurred on the second reading of this Bill last year, two lawyers spoke. They stated that they had previously voted in favour of the measure, but intended on this occasion to vote against it. They assigned reasons which, had they been given by a woman, would have been referred to as conclusive proofs of the radical defects of the feminine intellect. My right hon. Friend the Under Secretary of State for the Colonies, in a very fair speech against the Bill, argued that to give women a Parliamentary vote would be "contrary to the experience of mankind." Most of us who are endeavouring to improve the condition of the people are in search of a state of things contrary to the experience of mankind, because, up to this time, that experience has been very deplorable. We see many things which are contrary to the experience of mankind. The Colonial Empire, with whose affairs my right hon. Friend is connected, extending round the world and bound together by ties of affection and not by force, this is contrary to the experience of mankind, but it nevertheless rightly obtains the admiration of my right hon. Friend. It is contrary to the experience of mankind that a Government, the Government with which my right hon. Friend is connected, should invite the women of this country to present themselves to large constituences, to issue addresses and attend public meetings in order to be elected members of Education Boards; and it would be contrary to the reason of mankind if my right hon. Friend, after being a consenting party to that innovation, should continue to resist the claim of women to give a silent vote at the poll. I am very well aware that long before this debate has ended to-day the Bill I am now submitting to the House will be attacked on the ground that it gives a vote to married women and, also, because it does not give a vote to married women. Both of these charges cannot be true. There is another thing which has always been said by the opponents of the Bill, and which will inevitably be said in the course of this debate—that women do not care for a vote. It ought to be a sufficient answer to this statement to say that whenever women have been allowed to exercise a vote they have made use of the privilege. We know that they have exercised the municipal vote in many of our populous towns, and in these cases they have used it in equal proportions with men. As the most recent evidence that woman do care for the vote, the House will perhaps allow me to quote from a note I have received from a lady in Edinburgh—a lady who for some years has been of the greatest assistance to this cause. Speaking of the votes given by women at School Board elections she says, that—

> "In Edinburgh one-seventh of the actual voters are women, and in most of the country parishes *every* woman"—the word "every" is underlined—"who was registered voted. We have four women representing Edinburgh—two for the city and two for the county and fourteen for other towns in the country districts—eighteen in all. Of these six were returned at the head of the poll."

Then she says, "We expect some half-dozen more women to be returned in the next board elections." Surely, Sir, this should have some weight with those who say that women do not care for a vote. Scotland is not the least intelligent or the least informed of the various portions of Her Majesty's dominions, and if in that country you find that women are everywhere interested in public matters and anxious to take a reasonable share in them, the fact ought to have some weight with the House. But when hon. Members say that women do not care to possess a vote they ought at least to bear this in mind, that they, as a rule, are in the habit of associating with ladies who are favourably situated—who are surrounded by all the blessings of life. Those hon. Members associate with ladies belonging to a rank in which they are not likely to feel the pressure of circumstances. They should remember, too, that the women of the upper classes have been better cared for than women belonging to humble life. With regard to questions of property, the Court of Chancery has done as much for them as any statute could have done. During the present Session of Parliament a Bill has passed this House which will in all probability be of service to women of the higher class. I refer to the measure which relates to the custody of children. That Bill will have the effect of helping ladies who are able to meet the difficulties and expenses of Chancery, but with regard to the poorer class of women the measure will be of little use. When I am told that women do not care for a vote I am reminded that two or three weeks ago a friend of mine informed me that he had been talking to a lady of high position in this country. He questioned her as to what she thought of the subject of women's rights. Her reply was, "All I know is that I have no wrongs." This was told me that I might reflect upon it and see the error of my position. Sir, I did reflect upon it, and I came to this conclusion, that if that lady, instead of being surrounded by all that can make life happy and even brilliant, had been in different circumstances —if she had been seeking to obtain admittance into an educational institution which she was taxed to support but which shut its doors upon her—if she had been the widow of a farmer and had lost her home and her occupation because she could not vote—if her small property had been dissipated because it was too small to bear the expenses of a settlement and the trouble of a trust; or if she had happened to have lost her husband and a stranger had stepped in and deprived her of all authority over her children, requiring that they should be educated in a faith which was not her own—if that lady had been so placed as to have been the victim of any of these circumstances I think that she would not have been able to declare that she had no wrongs. And if the Members of this House were enabled to look at this question through the eyes of the humble classes—those women who have to meet the difficult struggles of life—I believe it would not be necessary year after year to ask that this moderate Bill should be passed into law; but that on the contrary a single Session would suffice to bring about the result we desire. I beg to move that this Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Jacob Bright.*)

Mr. EASTWICK, on rising to second the Motion, said, there never was a controversy in which such earnest appeals and serious arguments on the one side were met by such scoffs and unfair and unsound statements on the other, as this. It had been his fate to sit there and hear for three successive years the same sarcasms, the same again and again refuted fallacies repeated, and hope against hope that for once the question would be honestly debated. He did not know what particular fallacies would be brought forward on that particular occasion, and he could not wait to listen, for his place in the debates was fixed. He was obliged to go forward in the front of the battle, leaving those merciless archers—the right hon. Member for Kilmarnock and the hon. Member for Pembrokeshire—in his rear, who would be sure to send a keen shaft against him wherever they could espy a weak joint in his armour. He knew their ruthless determination to oppose this Bill too well to expect any good result from appealing to them, but he should go forward, trusting in the goodness of his cause. His hon. Friend had referred to a speech of the Prime Minister in the debate of 1871 on the Women's Suffrage question, in order to show that what was considered one of the principal objections to the Bill had been done away by the introduction of the Ballot. He too, was about to refer to the same speech in order to carry that deduction a little further. The Prime Minister said—

"The great objection on which the hon. Gentleman the Member for Pembrokeshire based his opposition is the proposal which required the personal attendance of women to give their votes, and which would consequently introduce them in the general proceedings of contested elections. That appears to me to be an objection of great force. It may be that when we adopt the principle of secret voting, we may insure that tranquillity of elections which has been achieved in other countries."—[3 *Hansard*, ccvi. 91.]

And then he went on to say—

"Speaking generally, however, I am inclined to say that the personal attendance and intervention of women in election proceedings, even apart from any suspicion of the wider objects of many of the promoters of the present movement would be a practical evil not only of the gravest but even of an intolerable character."—[*Ibid.*]

This led him (Mr. Gladstone) to make the following suggestion:—

"I have never heard any conclusive reason why we should not borrow a leaf from the law books of Italy, where a woman is allowed to exercise the franchise if she is possessed of a qualification, subject to the condition that she shall only exercise it through a deputy, some friend, or relation, specially chosen for the purpose."—[*Ibid.* 92.]

Now, he (Mr. Eastwick) was bound to say that he would almost as willingly see a leaf taken out of the Confessional as out of those law books of which the Prime Minister spoke. To adopt that suggestion would be to give women the power of voting and take from them the responsibility. In nine cases out of ten it would be simply giving the male friend, who acted as deputy, two votes instead of one. Besides, it would fail to carry out one of the things for which the supporters of the Bill were most anxious—the removal of that stigma which now rested on women, their implied incapability of exercising the suffrage in a free, unfettered way like men. But what did the suggestion amount to but this—that because the conduct of men at contested elections was intolerably bad, therefore the suffrage was to be denied to women whose conduct would be good. As to their personal safety, he supposed the law would take care of that, and as to the demoralizing effects of contested elections on their character there was no fear of that, for vice in such scenes appeared in an odious and repulsive form, rather than in a corrupting or reductive one. But those scenes were now for ever put an end to by the introduction of the Ballot, and the school board elections had shown that when a woman came to record her vote she was received by the working men with even more respect than was shown her on other occasions. The Prime Minister went on to say—

"With regard to the higher circles, to those who are familiarly called the 'upper ten thousand,' there is no case at all for entertaining a measure of this kind."—[*Ibid.*]

What, was there no case when the most high-born, the richest, the most meritorious, indefatigable, and intellectual woman was denied a vote simply because she was a woman, while it was given to the most sordid and debased brawler simply because he was a man. In the same debate the right hon. Gentleman the Member for Kilmarnock had based his opposition to the Bill mainly on the inferiority of women to men, and he had supported that argument by a reference to the 16th verse of the 3rd Chapter of Genesis—"The desire of the woman shall be unto her husband, and he shall rule over her." Now, he (Mr. Eastwick) disliked to see texts of Scripture unnecessarily referred to in debates. He desired to speak with the utmost respect, but he must remind the hon. Gentleman that the passage he had quoted was part of the curse upon woman in her fallen state and it certainly had reference only to those who were married. The difference of the sexes was not as the right hon. Gentleman supposed, an essential difference of mind. It was a mere accident of the body and of training. Did anyone in this enlightened 19th century really suppose that there were masculine souls and feminine souls? Such a notion was as unphilosophic as it was unchristian. The greatest philosopher of ancient times had repudiated the notion, and as for Scripture, had it not plainly said that in the existence to which all were hastening, there was neither marrying nor giving in marriage, but all were as the spirits of heaven. The idea of masculine and feminine spirits was more worthy of a gross Sadducee than of a Christian philosopher. But descending to plain matters of daily experience was it not the fact that women who had the advantages of a masculine education succeeded in what they were taught as well as men. It had been said that the stage was the only career in which no deduction was made for sex, and certainly on the stage woman succeeded as well as man, if not better. But take oratory, it was only during the last few years that woman had commenced to speak in public, and already there were many who spoke as well as men. He would take, however, the most extreme case possible, the profession in which more than any in other the physical superiority of men was most conspicuous, that of the Army; even there there was no such inferiority as that which the right hon. Gentleman was pleased to impute to women. He would not go back to remote times, nor even to the 15th century, when the only French general who ever continuously defeated English troops was a woman. Nor would he cite an example which had been quoted by a right hon. Gentleman who sat opposite in the debate of 1867—that of Dahomey. He would cite examples from more civilized countries. He remembered very well hearing General Langiewitz who commanded the Poles in their last revolution recounting the miseries and horrors of that war. He said that his troops were miserably armed and equipped, and that when they encountered the Russians their first movement was to throw themselves on the guns in order that they might wrest from the enemy some pieces of artillery, of which they had not one when they began the struggle. Well after picturing all the horrors of that mournful campaign, he said — "The best soldier I had was a young Polish lady. She bore the fatigues and confronted the dangers of the war as well as the best man I had, or even better." The other case was one which had lately been described to him by an eye-witness who could not be mistaken. It was that of the Rani of Jhansi, in the celebrated campaign of India. No one displayed greater courage than that lady; she went into action 20 paces ahead of her cavalry, and when Jhansi fell she exposed her life where the danger was greatest and the fire hottest. One day when she was on the wall under the fire of our batteries a serjeant, after carefully laying his gun, said to the general—"I have her now, Sir, quite certain." "No," was the reply, "don't fire; remember she is a woman." She died a soldiers death, however, and as she lay bleeding under a tree, with two sabre cuts and a gunshot wound, she used her failing strength in distributing her ornaments amongst her most faithful followers. Why did he mention these things? Not to suggest that women should step beyond their own sphere and take up professions which belong to men, but merely to show that women and men were not essentially different in their natures, and that to speak of their natural inferiority disqualifying them from having the suffrage was an absurdity. No doubt there must be a division of duties, and it was only natural that the care of the house and of the family should be entrusted to women; but how could it be pretended that the exercise of the privilege of voting once in four or five years would interfere with that duty. On the other hand it was equally absurd to argue that the granting the suffrage to women who had the property qualification would result in their wishing to get into Parliament. Every Member of Parliament who conscientiously discharged his duties felt that they were so onerous as to interfere with his own private concerns. How preposterous then it was to suppose that a woman could be in Parliament without neglecting her own proper work! But it was, in truth, calumniating women to say that women had not sufficient tact and discernment to know what it became them to attempt. They knew their own vocation better than men could tell them it. But he must now turn for a moment to a statement made by the right hon. Gentleman the Member for Kilmarnock in the debate of 1871, that "the game of woman's suffrage in the United States was well nigh played out." [Mr. BOUVERIE: Was not that a quotation?] It was, but the right hon. Gentleman endorsed it in his speech, and no doubt he believed it to be true, but he could prove to him that he was mistaken. Woman's suffrage was referred to with respect in the Declaration of the Convention that nominated General Grant. The Vice President of the United States—the Hon. Henry Wilson—was a supporter of the women's suffrage movement. The men who stood at the summit of the literary ladder in the United States supported it. Of these he would mention Ralph Waldo Emerson, who had called it "an æra in civilization," and who had delivered a noble lecture in support of it; the author of *Atlantic Essays*, Mr. Higginson; the well-known journalist, Mr. G. Curtis; and the distinguished orator Mr. Wandell Phillips, as well as Mr. Hoare, Member of Congress and a most eminent barrister, and Judge Richardson of Massachussetts. But it was unnecessary to refer to the support of individuals when, in the important territory of Wyoming—soon, it was to be hoped, to become a State—women were actually enfranchised. The right of voting is there exercised by women, so, at least, he was informed, and with the best results. The women voters were treated with the greatest respect—a respect which was not entirely unalloyed with self interest, as it was known that their votes would always be given in favour of a party of order. But arguments in favour of women's suffrage in America were doubly strong in relation to this country, for in America there was no reason why every woman should not be married and obtain some share of the suffrage through her husband, since the number of women was less than that of men. But in this country there were 600,000 fewer men than women, and consequently there must always be that number of unmarried women, dependent to a great extent on their own exertions for maintaining their position, and deserving to be represented—many of them, at least—as contributing independently towards the taxation. Lastly, there was an argument in favour of female suffrage here which he desired to commend to the especial attention of the Conservative side of the House. Conservatives had probably no desire to see manhood suffrage, but an agitation in favour of it was already commencing. A monster meeting had already been held in the North, and would be followed by others. He believed that the only way effectually to meet the agitation in that direction would be to give the right of voting to women, because their votes would certainly be given against manhood suffrage, which would completely swamp their influence. On the other hand, if the elective franchise were once conferred on women who had the property qualification manhood suffrage would be rendered impossible, for it would imply womanhood suffrage, and as women exceeded men in numbers universal suffrage would give them the controlling power in political affairs, an absurdity which no one contemplated. At the municipal elections women had well and regularly exercised their right of voting, and at the School Board Elections in Scotland, where they had now got the right to vote for the first time, they had voted, in proportion to the numbers qualified, more exhaustively than men. Now, one of the greatest justifications for giving the vote to any class was that that class would avail themselves of the privilege, and this women certainly did. He should vote for the second reading of the Bill in the belief that not only were the women themselves anxious to exercise the suffrage, but that they would use it for the benefit of the community.

Mr. BOUVERIE, in rising to move, "That the Bill be read a second time that day six months," thought it was rather bold on the part of his hon. Friend who had just sat down, in exposing what he had termed the fallacies of those who held opposite views, to indulge in the fallacy of erroneous statement to probably a greater degree than anyone who had taken part in the debates upon this subject. His hon. Friend maintained that there was no distinction between man and woman which education would not remedy, and he had supported that proposition by a reference to cases in which women had successfully engaged in military affairs. With regard to the inference endeavoured to be gained from it, he (Mr. Bouverie) thought it was one of the absurdities propounded by those who advocated the rights of women to contend that the more violent action and laborious pursuits of men could be equally discharged by women. In accordance with that, it would shortly, he presumed, be urged as a grievance that women were not allowed to compete for commissions in the Army, and we might look forward to the time when some lady might be found occupying the post of his right hon. Friend the Secretary for War or of his right hon. Friend the First Lord of the Admiralty. Was his hon. Friend prepared to say that we were to recruit our Army with women?—[Mr. Eastwick said, on the contrary, he had distinctly repudiated the idea of women becoming soldiers.]—He could scarcely understand then why military ladies were referred to unless it was to show that but for the defects of education women were as well able to take part in military matters as were the men. But there was one grand objection to all such doctrines — that women were weaker than men, and no amount of education would render the female as strong, as powerful, and as capable of going through a course of continuous exertion as men were. He could not help feeling that his hon. Friend the Member for Manchester (Mr. Jacob Bright), in his speech, had laboured under the difficulty of feeling that his case was not so strong in the House or the country as it had been represented to be on previous occasions. No doubt there was a very active, persevering, and respectable minority in favour of this movement; but, as far as he could judge, it was but a very small minority. There was a knot of ladies very earnest in the cause of their sex, who, in their speeches and their writings, had displayed considerable ability, and who had gone about the country holding meetings and lecturing on the subject, and these meetings were spoken of as giving expression to the opinion of the people throughout the country; but in populous towns it was easy enough to get up a public meeting upon any subject; and meetings composed of those who attended to hear speeches from attractive ladies could not, by any means, be taken to represent the feeling of the country at large, to whose opinions, feelings, and even prejudices, this proposal was utterly repugnant. If this question were made the cardinal question at a General Election, he (Mr. Bouverie) did not believe that there would be a single Member returned who was in favour of the claim. His hon. Friend the Member for Manchester had referred to the case of the Bath election, in which both candidates had said that though personally not in favour of the proposition, they would give it their support. If that statement were correct, he did not think it was much to the credit of either candidate. But, in any case, they knew that the power of a small but determined minority was very great in the case of a closely-contested election. Besides, his hon. Friend should remember that Bath contained more widows and spinsters than probably any other town in the kingdom. His hon. Friend had instanced a case in which out of a row of houses in Manchester, 16 houses had votes and four had none, because those four were occupied by women. Now, he did not know whether it was the doctrine of the school to which his hon. Friend belonged—it certainly was not the doctrine of the political school of which he was a Member—that votes should be conferred upon houses instead of people. A man was once contending with Dr. Franklin that men, in order to have votes, should be possessed of some property, and that, at all events, they ought to have some small sum of dollars. Dr. Franklin was a strong democrat in his views, and thought that every man equally should have a vote — "Very well," said Dr. Franklin, "let us take the case of a man whose property consists of a donkey worth 20 dollars. He loses his donkey, and he loses his vote. Was it the man or the donkey that had the vote?" The possession of property was only a rough test of fitness which was employed to ascertain those whose education and independence qualified them to vote, but the disqualification of women rested upon entirely different grounds. He quite agreed with his hon. Friend in thinking that the Ballot had done away with one of the objections to his proposal, for respectable women would no longer have to face the old polling-booth; but that was not the narrow ground on which the House had in previous years decided this question. He could not help thinking that his hon. Friend had introduced that day two of the weakest possible arguments into a discussion which might be regarded as having by this time been worn threadbare. His hon. Friend argued that women-farmers ought to have votes because they were not allowed to be Members of the Royal Agricultural Society. That might be a very good reason for appealing to the Royal Agricultural Society to alter their rules; but it was a very bad one on which to found an appeal for the concession to women of Parliamentary representation. The other was that the female ratepayers had to share in the expenses of the Bribery Inquiry at Bridgewater. Corrupt, however, as Bridgewater no doubt was, the majority of the electors were not corrupt, so that the hardship fell upon the incorrupt electors generally with as great force as it did upon the women of that town. With regard to cases of special grievance, he had yet to learn that that House had ever declined to receive and consider, in the interests of women, any question relating to their grievances. In fact, he had never known his hon. Friend the Member for Manchester to come forward with a practical proposal to remedy any of these grievances. They were trotted out in these annual debates, and they made more or less of an argument in favour of women's suffrage, and then they were allowed to go to sleep again. If his hon. Friend would bring forward any measure on any of these grievances, which in the opinion of the House was just, the House would favourably consider it. His hon. Friend, as an argument in favour of the fitness of women for the franchise, had referred to the fact that there were only 105,000 summary convictions of females in one year as against 540,000 summary convictions in the whole. The effect, however, of his hon. Friend's proposal was to turn women into men; and if women were to become men, and be exposed to the same temptations, trials, hardships, difficulties, and contests, the result would be the same as it was in the case of men, and their criminality would be thus multiplied four-fold. His hon. Friend and those who agreed with him did not appear to see that what they proposed was to make a great mistake, and to introduce what was probably the greatest social revolution which had ever occurred in the country. For his own part, he thought that men should remain men and women should remain women, and if they attempted to change women into men they would be manufacturing a very inferior and bad article. His hon. Friend said it was a matter which, after all, dealt with only 250,000 votes. He (Mr. Bouverie) had already referred to the power which could be exercised by a small but determined minority in a closely-contested election; with the aid of such a minority of female voters, it was quite possible that a very clever woman, by the aid of great ability, answering questions at public meetings successfully, and a canvass in which there was a discreet use made of those feminine arts to which they were all susceptible, might succeed in being elected a Member of that House. His hon. Friend said nobody contemplated such a thing, and it was not in the Bill. That, however, was exactly the point. It was one of his objections to the Bill that it did not contain any provision of that kind, for they all knew what must follow. The Bill was the grain of mustard-seed that was to grow up into a tree; but, if it developed into anything, it would, he feared, bear more resemblance to the celebrated Upas tree than anything else. The lady whose case he had been imagining might be elected, and if they conferred the right of election on women, they could not successfully contest their right to sit in that House, and such ladies might aspire, and perhaps successfully, to take a prominent part in the government of mankind in that House. His hon. Friend had referred to the case of women voting at municipal elections and to the part they took in connection with school boards; but these were mere vestries dealing with local matters, whereas that Assembly had to deal with the affairs of the whole country, and had among it a Committee sitting upon the Treasury bench whose duty it was to govern a great part of the world. He ventured to say it would be a bad thing if those ladies who aspired to take a prominent part in the government of mankind had their way. It was part of a system which was contemplated by the dreamers of dreams, dreams supposed capable of becoming realities by those who advocated these ideas of the equality of men and women. In all walks of life women were to compete with men, to share their duties as barristers, jurors, Judges, and magistrates. But apart from the fact that women were differently constituted from men, that in their early life they were subject to natural infirmities from which men were exempt, his objection lay deeper still, for he objected to dragging our country-women into public life. In fact, he honestly believed that if women succeeded in these aspirations, and engaged in the occupations and pursuits of men, the glory and the purity of the sex would be destroyed, and so would be the foundations of the State in which we lived. While ostensibly a small Bill, giving a vote to widows and spinsters, it contained the germ of a great social revolution. If it passed, the exclusion of married women could not be maintained, for why should the greater part of the adult women, the mothers of the rising generation, who attended to their households, be debarred a right conceded to the unmarried? It was worth while considering the embarrassment that might follow the admission of single women to Parliament. Fancy a lovely spinster who had come there, and had taken part in their debates, having a proposal of marriage on the eve of a great division. Possibly, a good-looking Gentleman on the opposite side might wish to take away a vote from the Government, and made the lady an offer of marriage; why the fate of a Government might depend on the occurrence, and the Whip might jump up, and move a New Writ, because Miss So-and-So had entered into the bonds of matrimony. Our social system and habits were bound up with the distinction between the occupations and pursuits of the sexes, which was the foundation of much of our national happiness and glory, and he would have no part in beginning to destroy it. The right hon. Gentleman concluded by moving the Amendment of which he had given Notice.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Bouverie.*)

Mr. SCOURFIELD denied the right of the hon. Member for Manchester to claim the Prime Minister's vote. In the speech referred to, the right hon. Gentleman, commenting on a remark which had been made by himself, that a system of voting papers, dispensing with personal attendance at the poll, would possibly lessen his objection to the Bill, intimated the possibility of a change of opinion; but the advocates of the Ballot would resist such a system as a violation of the principle of secrecy, and many supporters of the measure had defeated every attempt to dispense with attendance at the poll in exceptional cases. Female voters would therefore be subjected to this inconvenience, as also to the annoyance of canvassing. He denied that exclusion from the franchise was a political degradation, for on nature's principle of compensation women in return for material exemptions from duty were deprived of certain privileges; and on visiting the Queen's Bench the other day he wondered how women would like the prolonged martyrdom with which the jurors in the Tichborne case were being visited. All rational people would wish to be governed by "a large amount of ascertained consent," to quote an expression from the Queen's Speech in a former Session, but with all due respect for public meetings and Petitions, which often evinced much labour and organization, he could not take these alone as the criterion. A distinguished Member of the House used to ascertain the general opinion by collecting individual opinions, and, guided by this and by the Press, he was convinced that the vast majority of women deprecated the *damnosa hæreditas* which the Bills would confer on them. The late Attorney General for Ireland—whose speeches always displayed a genuine ring of that Irish humour which softens the acerbities of life, and saves the Saxons from the painful fate of boring one another to death—once voted for the Bill, but on informing a lady of it was told he might have been much better employed; and he afterwards, in opposing it, remarked that nobody knew what it meant, comparing it to a Highlander's gun, which would have been a very good one if it had only a new stock, a new lock, and a new barrel. The hon. Member for Penryn (Mr. Eastwick) had undertaken to say that in a future state there would be no distinction of sex; but, without pretending to such transcendental knowledge, he thought as much might be said for the opposite assertion, and it was safer to base legislation on present rather than on prospective conditions. Père Hyacinthe, who had shown his estimation of woman by marrying, and thus estranging himself from many of his associates, had said it was woman's province to leave to others the making of laws and the writing of books—here he differed from him, for there would be a hideous blank in literature if women had shunned authorship—and to influence ideas and manners, and through these to govern. If women generally desired the suffrage they would assuredly obtain it; but he declined to take those possessed of the moral courage, or rather the physical power, of holding meetings as the exponents of their sentiments, and he did not believe they desired to mix in the turmoil of politics. The hon. Gentleman seconded the Amendment.

Mr. Serjeant SHERLOCK: Mr. Speaker—Sir, it appears to me to be a very important element in the consideration of this case, and one which the House ought not to overlook, that we should follow, so far as we possibly can do so, consistency in legislation. And if we find that women in possession of property have been already permitted to exercise political rights, and have been authorized by the Legislature to vote for school boards in matters involving intellectual questions, and in municipal elections on questions relating to the management of property and subjects incidental to taxation; and if it has been found that although the assertion of these rights, political as well as social, leads to contests as bitter sometimes as Parliamentary contests, yet that women have exercised those privileges which have been conceded to them with moderation and discrimination, it does appear to me that it ought to follow, as a fair and necessary consequence, that when they ask us to give them the right incidental to property, which men enjoy, of having a voice as well as having an influence in the selection of these Parliamentary representatives, that right ought not to be denied them. Now that women do exercise very considerable influence at these elections is a matter which I think will not be denied by a majority of the Members of this House; and I think there are very few Members of this House, in the event of an election, who do not in the investigation of the possessors of property in the district which they seek to represent apply themselves to the female influence as well as to that of the direct voters. We find as a rule, I say, that ladies in the possession of property exercise the rights of property with as much discrimination, with as anxious a regard for the interests of their tenantry, and of the duties which, as well as rights, property carries with it, as men do. And when we come to consult our prospects of success on the eve of a Parliamentary election, female influence is not disregarded, I venture to assert, by the majority of Members on either side of the House. Well, unless you establish the fact of some inferiority of intellect upon the part of the females of this Empire you have no justification for refusing them the privilege of selecting their Parliamentary representatives, who alone have very considerable influence in the taxation of their property, in the modification of the rights of property, and also in the various social questions in which they are interested. Now, I cannot understand why a woman should not be as well fitted to select her representatives in Parliament as she is fitted to select her representative upon some municipal board. With regard to want of intelligence, I cannot conceive that a stupid man is superior to a stupid woman; I cannot believe that a clever, intelligent, well-informed woman is not capable of arriving at as clear a conclusion, and as proper a conclusion as a man. It by no means follows, Sir, that by the Bill now before the House every position which man is fitted to occupy, and every duty which he is fitted to discharge, is being granted to women. In the discussion upon political concessions, in the granting of political privileges, there are almost in every case, whether they arise from religious distinctions or other causes, certain exceptions. It is not intended, for instance, to concede to women a position which will invest them with the right of going in for examination for the Army, as has been suggested, or for the Church, or for the Navy, or for this House. Apprehensions have been suggested by the right hon. Member for Kilmarnock that this is but the beginning of a series of legislative efforts which will open to females further claims, and which will bring them into this House. Now, that is an argument which has always been used upon the introduction of any Bill giving rights to any class. It has always been argued by Members of this House, and by the public opposing any measure, that we were to look, not to the professed measure under discussion at the moment, but to the latent difficulties that were sure to follow. When the question of the emancipation of the Roman Catholics was before the Legislature in 1829 it was strongly urged, in both branches of the Legislature, that if their rights were once conceded as asked for in that Bill, the inevitable consequence in a very few years must be that the Roman Catholic Bishops of Ireland would be sitting in the House of Lords. That was distinctly held out as the necessary consequence of the concession. Well, I do not think that any hon. Member of this House apprehends that such a result is very likely to follow now. There may be possibilities of removing other ecclesiastical authorties from the House of Lords, but as to the danger of extending the privilege of sitting there to Roman Catholic Bishops, the result, I imagine, of modern views is to lull all fears on that score. This Bill does not authorize or extend the proposed privileges to married women. Upon a principle which is perfectly clear in the first place, the right to the Parliamentary franchise is at present annexed to property, and if the right and privilege of the Parliamentary franchise were so low as to include that 20 dollar animal to which the right hon. Gentleman the Member for Kilmarnock referred, it would be in right of that property that a vote would be given. But at present, as a rule, the right of property rests in the husband. It would be unjust to give to the wife a vote and thus to give two votes for the same property. The married woman enters into a contract as a rule to submit her rights to her husband, and to confer upon him the privileges incidental to the property. Although we lawyers recognize the principle in Courts of Equity of the separate estate of married women, that is with a view to their protection against extravagant or improvident husbands; but those rights do not affect the great principle that when once a woman marries she hands over to her husband for better or for worse both her individual liberty and her property. If that is not abused she has a reasonable influence in the management of that property, and the present Bill will not affect in any manner or interfere with her position in that respect. The hon. Member for Pembrokeshire has stated that having visited the scene of the present trial in the Court of Queen's Bench he found 12 jurymen discharging a duty which is likely to become a term of imprisonment extending over a considerable period. But I did not see the relevancy of that illustration. This Bill does not seek to grant the privilege to women or to impose upon them the burdens of acting as jurors in certain cases. The same observation applies with regard to magistrates. This Bill does not ask and does not seek to give to women the right of being appointed magistrates, and it is as it appears to me hardly a candid mode of meeting the Bill to state that there is behind it, looming in the distance and invisible, a process by which this will be carried out in such a manner as will give claims to future alterations which may be dangerous and will possibly lead to very serious consequences. We must look to legislation as it is proposed upon the face of it. This Bill is short and has this further advantage—it does not appear to me to have been prepared by a lawyer—it is intelligible—it is very concise; and although the right hon. and learned Gentleman, the late Attorney General for Ireland, to whom reference has been made, in his speech last Session, spoke of the Bill as not being intelligible, and explained, as his reason for not voting for it, that he did not understand it, I think if he exercised some of those powers of intellect with which he is gifted, he could easily understand this Bill, which is as simple and intelligible as any Bill ever brought before this House. Now the important, and, as it appears to me, the only real argument against this Bill, is the statement that women in general do not desire it. Of course, if it once be established that the large majority of the class for whom we propose to legislate do not desire it, I think that is an answer. But, again, there is scarcely any measure ever proposed which purports to be for the amelioration of a class but you will find some members of the class rejecting the proposed boon. It was so at the period of Catholic Emancipation. There were some members of that religious body who declared—and I think Petitions were presented to the Houses of Parliament declaring—that they did not want political rights, and were perfectly satisfied with their position. Well, I do not think that in the result it can be said that the body at large objected to those principles. We are told that a lady said that an hon. Member would have been better employed than in voting, as I am about to vote, for this measure. But one does meet even among females with some eccentrics who do not see the value of the benefit about to be conferred upon them, but sneer or put questions in such a way as to show there may be some difference of opinion. Let those ladies and gentlemen who do not wish to exercise political privileges remain as they are. The law will not compel them to vote; and if they find anything inconvenient in voting, they will remain at home. And so far they will have a right to decline to exercise it. The case put forward by the hon. Member in charge of the Bill shows that women having the municipal franchise do exercise it; and I have no doubt that when we do concede this privilege of voting in Parliamentary elections the great majority of women will exercise it with the moderation and discretion with which they have exercised the privileges they have already been endowed with. No such evil results as are predicted by hon. Gentlemen will follow, and this measure will really conduce to respect for the rights of property, and at the same time to the withdrawal of that line of demarcation and discrimination which, I say, is an insult to women.

Mr. LEATHAM—Mr. Speaker: I do not know, Sir, that I should have ventured to have taken part in this debate, but for one circumstance. The constituency, which I have the honour to represent, has recently experienced an invasion of ladies, and I have really been challenged so manfully by them to state why I do not join in this crusade that, in common courtesy to the sex, I must avail myself of the first opportunity of doing so. My hon. Friend (Mr. Jacob Bright) has stated to-day that those of us who are Radicals cannot consistently oppose his Bill, and vote for the Bill of my hon. Friend the Member for the Border Burghs (Mr. Trevelyan). On a previous occasion, I remember that he went still further and told us that no Radical could vote against his Bill without feelings of discomfort akin to shame. Now, I am one of those whose opinions are usually supposed to incline towards Radicalism. I am going to vote against my hon. Friend's Bill, and if I have the opportunity in favour of the Bill of my hon. Friend the Member for the Border Burghs; but I am conscious of no inconsistency, and beyond the repugnance with which I oppose any measure introduced by my hon. Friend, I am not sensible of any feeling of shame or even of discomfort. I fear that I must join issue with my hon. Friend on the very threshold upon the question, not of expediency, but of principle. I must even deny his grand fundamental axiom that because women pay taxes and obey the laws they have therefore an abstract right to vote. So long as women accept the protection of the law for their persons and property, so long must that property contribute towards its own protection, and those persons obey the laws under the protection of which they live; but to argue that therefore women have a right to vote is simply to ignore the whole career which revelation, and the experience of all ages and nations, and the universal consent of mankind, no less than the peculiarities of their own constitution, organization and obligations have marked out for them—a career which runs parallel with that of man, which is equally dignified with it, but perfectly distinct from it. Now this argument has been so skilfully elaborated by an eminent French writer, the Comte de Gasparin, that I cordially recommend his treatise—*Les reclamations des Femmes*—to the careful perusal of my hon. Friend. With the permission of the House I will read one short extract. He says—

> "The women who demand political equality declare loudly enough, and declare undoubtedly in all sincerity, that they are not going to abandon, either their obligations as wives, or their obligations as mothers. They maintain that they will only become better capable of fulfilling those duties in becoming better instructed and less frivolous in their pursuits. This is a point which we do not contest. Intellectual and moral development must be an advantage, and we entirely concur in it. But this is no question of development. It is a question of the rights and duties of one sex claimed by the other—of an absolute change of vocation, ideas, occupation, individuality—and it will be difficult to persuade us—that while men find it so hard to act as men—women can act as men, and yet remain women, playing the double part, fulfilling the twofold mission, assuming the twofold character of humanity. This is what will happen—we shall lose the woman without getting the man. What we shall get is that monstrous and repulsive creature which is already looming above the horizon—*la femme-homme.*"

Now my right hon. Friend the Member for Kilmarnock (Mr. Bouverie) has shown how revolutionary is the tendency of my hon. Friend's Bill; but I think that we may pursue the argument a little farther. If we grant the right of voting, we cannot logically refuse the right of being voted for; and if we are to have women returned to this House, how can we resist their claim to sit upon the Treasury bench? Perhaps the House would rather like to see a blooming and engaging First Commissioness of Works, or a lovely and accomplished Post Mistress General; but what would the House think if important legal proceedings were arrested because the learned Attorney had eloped with the Solicitrix General? And what would they say to the announcement that Public Business was suspended in consequence of the accouchement of the Prime Minister? And if you are to have female Ministers of State, why not Ambassadresses and Governesses General? “Why not?” says my hon. Friend, “Have you not Queens and Empresses already? “Why not?” says the hon. Gentleman opposite (Mr. Eastwick), “Do not women make the best soldiers?” Yes; and have we not all heard of men-nurses, and do we not all reverence men-cooks; but we do not argue from these facts that the nursery and the kitchen are the proper spheres for the display of masculine enterprize. Now there is another argument which may be brought against my hon. Friend's Bill, and it is this—Our object ought to be to enfranchise independent voters; but the female sex must in the nature of things remain in a position of dependence; and it is no reply to us to say that now that we have the Ballot there will be an end of political dependence, because you cannot have the Ballot between man and wife. Indeed, this argument against woman suffrage occurred to a great statesman who formerly adorned this House, and whose opinion will carry weight with my hon. Friend. In the course of his speech in support of Mr. Grey's Motion for a Reform in Parliament, Mr. Fox expressed himself as follows:—

> “My opinion is, that the best plan of representation is that which shall bring into activity the greatest number of independent voters, and that that is defective which would bring forth those whose situation and condition take from them the power of deliberation. . . . I hope gentlemen will not smile if I endeavour to illustrate my position by referring to the example of the other sex. In all the theories and projects of the most absurd speculation, it has never been suggested that it would be advisable to extend the elective suffrage to the female sex; and yet, justly respecting, as we must do, the mental powers, the acquirements, the discrimination, and the talents of the women of England in the present improved state of society — knowing the opportunities which they have for acquiring knowledge—that they have interests as dear and as important as our own, it must be the genuine feeling of every gentleman who hears me, that all the superior classes of the female sex of England must be more capable of exercising the elective suffrage with deliberation and propriety, than the uninformed individuals of the lowest class of men to whom the advocates of universal suffrage would extend it. And yet, why has it never been imagined that the right of election should be extended to women! Why, but because by the law of nations, and perhaps also by the law of nature, that sex is dependent on ours; and because, therefore, their voices would be governed by the relations in which they stand in society. Therefore it is, Sir, that with the exception of companies, in which the right of voting merely affects property, it has never been in the contemplation of the most absurd theorists to extend the elective franchise to the other sex.”—[*Hansard's Parliamentary History*, xxxiii., 726-7.]

Mr. Fox was a far-sighted politician, but he evidently did not foresee my hon. Friend. But my hon. Friend may say that he is not proposing to enfranchise married women, and that, therefore, this argument does not apply. Indeed, the hon. Member for Penryn (Mr. Eastwick) told us on a previous occasion—although he has not repeated the observation to-day—that our Common Law made man and wife one; and that, therefore, we might set aside in this discussion the case of married women. But, Sir, this setting aside of married women forms no part of the programme of those ladies who condescend to dicuss this question with me privately. On the contrary, it is the sex which is to be enfranchised; it is the sex which is to be raised in its own estimation and in ours by enfranchisement. No one supposes that the enfranchisement of a few widows and spinsters will raise the sex in their own estimation or in ours; or will achieve for the sex that justice which it is assumed can only be achieved for them, as it is assumed that justice was achieved for the working classes by something like preponderance at the polls. The House must, therefore, look in the face the full scope of this Bill, or else we shall be told some day when we have passed it—as we are told with regard to the Municipal Franchise Bill of my hon. Friend—that in passing this Bill we have surrendered the whole position. Now, I am very far from seeing any true parallelism between the case of the woman who votes at the election of a town councillor and the case of a woman who aspires through her direct representative to control the policy of this great Empire. But if with any show of reason it can be contended that because we have passed the Municipal Bill we are bound to pass the Parliamentary Bill, with far greater show of reason will it be contended that having passed the Parliamentary Bill we are logically bound to extend the franchise to married women. For is not marriage the normal state of women? Do not 99 out of every 100 aspire to it? Is not the connubial aspiration the very last to desert the female bosom? Is it just, then, to the sex to enfranchise only women who are not in the normal state, and to suspend and confiscate this right at the moment when a woman enters upon the full and high responsibilities of her sex? And do not let my hon. Friend seek to persuade the House that unless women are enfranchised they cannot have justice done them. Have they had no justice done them already? Is there no amelioration in their position? And by whom has it been accomplished? Has it not been by men? Is not my hon. Friend a man? There is no indisposition in this just and civilized country to take up questions affecting women and to solve them in a just and even generous sense. There are such questions before the House at this moment, and they command majorities; there are other questions affecting women, which some women—forgetting, as I think, the only method in which their influence can be beneficially exerted, and declaring themselves public politicians—have damaged—and damaged, I fear, irretrievably—in public estimation. My hon. Friend's theory appears to be that there is a natural antagonism between the sexes, and that he must arm women with the vote in self-defence and array them against the other half of the species. This seems to me a monstrous and preposterous hypothesis. Man is not the enemy of woman. The influence of woman upon the votes of men is enormous; and that influence she can exert without moving one step outside her proper sphere or sacrificing one particle of that delicacy and reserve which, far more than any mockery of masculine functions, must always entitle her to the respect and admiration of men.

LORD JOHN MANNERS remarked that ridicule and sarcasm were the principal weapons which had been employed by those who had spoken against the Bill. The Seconder of the Amendment had admitted that it was the part of wisdom to deal with the evils of the day as they arose; and that sound axiom he would commend to the attention of its Mover. His right hon. Friend (Mr. Bouverie) had eloquently denounced all sorts of portentous evils which, in his candour, he owned were not contained in that Bill, but which, he thought, would in all probability be contained in some measures which would hereafter be brought forward in that House. When those extravagant proposals as to feminine Judges, jurors, and Members of Parliament, which his right hon. Friend had conjured up were really made, he should meet them with as decided an opposition as the right hon. Gentleman. He was surprised to find his right hon. Friend—an almost venerable reformer—indulging in that style of argumentation against the modest and moderate measure of the hon. Member for Manchester. Were not the various Reform Bills for which his right hon. Friend had voted, always opposed on grounds precisely similar to those used against the present Bill—namely, that they were certain to lead to ulterior and revolutionary measures? His right hon. Friend was so pinched for real arguments against the Bill that he condescended to overwhelm it with that torrent of unlikely and inconvenient consequences which he predicted it must produce. The hon. Member who spoke last also pictured the Treasury bench as filled with female Ministers as the result of that measure; but did he seriously believe that it would be impossible to resist the claim of ladies to sit in that House if they once conceded to female ratepayers the Parliamentary franchise? An important and influential class of the community had long possessed the franchise and yet were prohibited from sitting in that House. Perhaps his right hon. Friend would view the intrusion on the Treasury bench of a Venerable Archdeacon or a Very Rev. Dean with even more horror than that of a spinster or a widow. For centuries, although there had frequently been legislation directly affecting their interests proposed, there had never been any attempt, excepting in the case of Mr. Horne Tooke, made by the clergy of the Church of England, the Roman Catholic priesthood, or the ministers of Protestant dissent to enter the House of Commons. In former days priests and women were placed very much in the same category, and that analogy between them had existed almost from time immemorial. He did not believe there now existed the slightest inclination on the part of the women of this country to depart from that salutary and long-established demarcation between the right to vote and the right to sit in that House. Pressed by the argument that women now voted for members of school boards, town councils, and boards of guardians, the opponents of the Bill said that women might be well qualified to vote for those bodies, but not for so august a person as a Member of Parliament. His right hon. Friend said the interests affected by those elections were trivial, but were they? The interests dealt with by school boards were not trivial; and from all he heard he thought the policy of the country was likely to be affected by their proceedings. The 25th clause of the Elementary Education Act gave rise to serious controversy from one end of the country to the other, yet female ratepayers were not only permitted to vote at the election of school boards, but encouraged to aspire to seats in them. He had very great doubts about the immense school board they had created for London; still the thing had been done, and they must face the consequences. But to say that women might vote for such a board and sit on it, and yet were disqualified by their sex —for that was the argument — from voting for those who sat in that House for St. Ives or Bodmin, was one of the most illogical propositions he had ever heard. His right hon. Friend had spoken eloquently about taking women out of their proper sphere, and the hon. Gentleman who last addressed them talked of converting them into men; but if giving women power to vote unsexed them, the mischief had been done already, and those who supported the extension of the school board and municipal franchise to women had been consenting parties to that operation. It was idle, therefore, to talk about the excitement of Parliamentary elections, which occurred, perhaps, once in five or six years, while women duly qualified by property were called upon to vote every year for town councillors, and every two or three years for other local bodies. Everywhere but in London the school boards were elected by open voting; but after the adoption of the Ballot nearly the whole of the right hon. Gentleman's argument on that head fell to the ground. As to the evils of women-voters being canvassed, he reminded his right hon. Friend that one of the blessings promised them under the Ballot was that it would do away with canvassing. His right hon. Friend had spoken of women becoming agitators, and wished to see them restored to their proper functions and the duties of domestic life. But did he not see that by the course he persistently adopted he was driving women into the very attitude he deplored and condemned? So far from its being true that this measure was not making way in the country, and that its rejection this year would restore women to the position in which he wished them to be placed, the fact was precisely the reverse, and if the Bill was rejected a larger number of women than ever would take part in that agitation. In conclusion, he supported that measure simply and exclusively for what it proposed and intended to do. He did not concern himself and thought the House would do well not to concern itself, with all those remote and tremendous dangers which its opponents conjured up. By passing the Bill they would terminate that agitation, put an end to an unreasonable and illogical exception, and satisfy a reasonable demand. Believing that the measure was a sound, a safe, and a constitutional measure, and one that would bring the question of the ratepaying vote to a satisfactory and permanent conclusion, he would give it his hearty support.

Mr. BRUCE: Sir, I am desirous of giving very shortly the opinions I entertain, but I am anxious to be understood that I am speaking my own opinions and not those of the Government. I am bound to admit that on this matter the Members of the Government have divided opinions; and, indeed, it will be in the recollection of the House that one of the most interesting parts of the discussion last year was the passage at arms between my learned Friends the present Attorney General for England and the late Attorney General for Ireland. The noble Lord who has just sat down told us that the importance of this measure had been exaggerated, but to my mind its importance cannot be exaggerated, for on what grounds was it supported by the hon. Member who moved the second reading and the hon. Gentleman who seconded it? My hon. Friend the Member for Manchester supported this Bill upon the ground of the political equality of the sexes. That was the ground upon which he supported the measure, and then he thinks to settle this question by offering a miserable contingent of some 250,000 votes to the female sex, which comprises half the population of the kingdom. He himself stated that there were 2,000,000 voters in this country, while a measure was about to be introduced which would add another 1,000,000; and he proposes now for a final settlement of this question to add only 200,000 or 300,000 female voters to the constituencies of the country. What political equality is that, and how can he possibly suppose that the female sex, who are not slow to assert their rights when they believe them to exist, will be satisfied with such a state of things? The noble Lord opposite (Lord John Manners) charges with inconsistency and exaggeration those who look beyond the mere provisions of this Bill; but my right hon. Friend the Member for Kilmarnock spoke most reasonably and rightly when he said the House ought not to look at the Bill as it stood before them, but ought to see the possible consequences to which it might lead. Is it to be supposed, for instance, that one of the first ladies of the land, possessing a large income, and making a noble use of her property, is to cease to have a vote because she marries? And then, if you once enlarge the number of female voters, it will follow as a matter of course that their influence in proportion to their number would be directed towards obtaining direct representation in this House. There are plenty of ladies who have shown ample ability to take a part in this House, and whose capacities, so far as knowledge and powers of speech are concerned, would do no discredit to it. The hon. Gentleman who seconded the Motion put his support not so much on the ground of political equality as on that of natural equality. He expressed something like wonder, not unmixed with scorn, that there should be two opinions on the question of whether man and woman were not in all respects equal. He said the only difference between them lay in the education they had received. I am not going to enter into a discussion of the physical and mental differences between man and woman. It is patent that those differences do exist. Anyone who has watched little boys and girls growing up from their earliest infancy must see how nature has implanted in them very different characteristics. The hon. Member gave instances of women who have shown personal courage and even military abilities, but even with respect to the quality of courage, we may trace through the whole history of woman a broad distinction between man and woman. Nobody can deny the possession by woman of courage, but her courage is of a passive kind, fitting her for endurance, whilst the courage of man is of an active character. I cannot explain the causes of the differences between the two sexes in matters where equality might have been expected. I cannot say why it is that women, having paid so much more attention than men to the art of music, have never produced a great composer. Again, why is it that women, notwithstanding that they have turned their attention so much more to painting and drawing, have never produced a really great artist? I cannot understand either why women who have cultivated cookery so much more generally than men, should, according to universal testimony, have been wanting in the inventive and creative faculty when applied to that useful art. My hon. Friend has undertaken a very difficult duty when he calls upon the House to reverse the policy not only of our legislation but of all mankind. From all time there has been drawn a broad line of distinction between the sexes. We have had monarchies and republics, universal suffrage and limited suffrage, but in no country in the world have you had the suffrage conferred upon women up to this time. The noble Lord opposite accused those of want of logic who were opposed to this Bill, and who yet voted for the right of women to give their votes in Municipal Elections. I plead guilty to having supported that Bill without the slightest doubt or hesitation, and for this reason. Women already exercised the right of voting in all similar matters, and I could see no reason why a distinction should be drawn between one municipal question and another municipal question. I am not here to say that women who can perform many duties should not also have many rights; but what I say is that women who are not able to perform all the political duties which fall upon men should not have all the political rights which can be given safely to men only. Let us look for a moment at the important incidents in the history of our country. What has made our own country with its vast dependencies, what it is? Where they who first came across the seas to conquer and occupy it men or women? Were they men or women who fought at Hastings, who wrung Magna Charta from King John, who struggled for our civil liberties in the 17th century, or who founded our Colonial Empire? All our history has been made by men and not by women; and our great empire, as it has been made, so it must be preserved in external safety and internal quiet by the action of men. Women are altogether exempt from police and military duties. If our safety is threatened by foreign foes, it is to men alone that we must look for defence; if by internal disturbance, every man among us is liable to be called upon to peril life and limb in defence of public order. If women were as independent as their advocates assert, how is it that we have special legislation treating them as dependent creatures, restricting their employment in manufactories and mines? The only justification upon which it is based, is the conviction that women are dependent upon men, and that it is necessary to protect them. One of the most fatal arguments against this Bill is that by which the hon. Member for Penryn tried to recommend it—namely, that it was to afford security against manhood suffrage, because we cannot admit all women to the suffrage. But if so, what becomes of the political equality or of the natural equality of the sexes? There is one argument, and one only, which would induce me to support this Bill, and that is if I were satisfied that we were doing injustice to to women. I deny that altogether. I admit there has been injustice in the legislation of the past, but there has also been injustice to men; and I deny that it was so because this House consisted of men only. Its legislation was determined by the opinions, convictions, feelings, and possibly by the ignorance of the people generally, and improvement in that legislation was due to the increasing intelligence of the people, produced by the writings and reasoning of thinkers who pointed out the barbarous characteristics of our laws. As public opinion advanced, so did legislation. The hon. Member for Birmingham said he should vote for the enfranchisement of the agricultural labourer because he suffered under a grievance which a vote only can redress. There may be force in that, because a whole class is unrepresented in Parliament, but what I assert is that women are represented by husbands, brothers, and fathers who are not indifferent to their welfare; and it is a monstrous assumption that direct representation is needed to ensure in this House the fullest consideration of all their grievances.

Mr. BERESFORD HOPE appealed from the repudiation of the thin-end-of-the-wedge argument offered by the noble Lord the Member for North Leicestershire to the blunt-end-of-the-wedge arguments of the sponsors of the Bill, who ought to know what they were talking about. The Mover spoke of enlarging the franchise altogether, of altering political relations as determined by the voting power, and of this Bill in particular as being the necessary complement of the one brought in by the Member for the Border Burghs for extending the county franchise. That concluded the question, by putting the whole matter on the basis of a broad agitation for extended suffrage, which, if it went on unchecked, would end not in manhood, but under a female *regime*, in a literally universal suffrage hitherto unknown in any well regulated community. This was the Mover's own answer to the somewhat narrow view of his noble Friend, who had supported the Motion, that it was clear that in this time of general unsettlement the female vote which they had to appraise would be the personal vote unrestricted by any qualification, not the privileges of a few easy spinsters and widows. The hon. Member for Penryn made a still bolder plunge, for, rushing on with the impetuosity of a Tartar Khan, he first described the condition of that hereafter, of which he clearly had such accurate knowledge, and he then dilated on women's capacity for acting. He (Mr. Beresford Hope) was unequal to follow this rapid flight from the kingdom of heaven to the side scenes of the Adelphi; nor could he admit the identity between angels and the *corps de ballet;* so the hon. Member must make his election, as he could not stand upon both. Scripture had asserted—"Male and female created He them." The hon. Member said "no" to this; the difference according to him was merely one of education. But he had other arguments besides those drawn from heaven and the theatre and the battle field. It seemed that President Grant, at the late presidential election, declared himself favourable to female suffrage, and also Vice President Wilson. He admired the courage of the man who would draw an argument from that election after what had come out in Congress. The hon. Member had not said whether Vice President Colfax had also favoured women's suffrage, although he went on to tell the House that women already voted in Wyoming Territory. No doubt the House would be much influenced by the example of this juvenile community which stood he believed somewhere near Utah. This movement was a specimen of those fictitious agitations which were too common, and which were got up by a certain number of people who were eminently sincere, but who confounded public opinion with an artificial feeling for which they were responsible. No doubt the ladies who made speeches and circulated pamphlets on the subject were as capable of charming the House with their eloquence as were many of its Members; but the object of the Bill was to emancipate, not a given list of ladies, but a class of the female population. Had the ladies who were conducting the agitation considered the condition, financially, intellectually, and socially, of the whole class—many of them poor people overwhelmed with household cares—whom they would enfranchise? Did they suppose that every woman who was painfully eking out a precarious living by letting lodgings was a reader of *The Women's Suffrage Journal?* Many of the class in view could not answer the most elementary question on the most prominent topic of the day, while the least educated of male voters received some political education in the conversation of the workshop and the public house. Where was the slightest evidence of a similar leavening of the female population? The Bill would not remedy the specific grievances of those women who were said to be suffering, as it emancipated only that class of women—the unwedded, namely — who were from their position and circumstances free from such grievances. The absence of spontaneity in the movement was shown by the clever management which secured a report of a meeting in the daily papers on the eve of this debate, and by such Petitions as one he had presented. It happened that day that he had presented a Petition in favour of this Bill, signed by several very eminent members of the University which he had the honour to represent—men of distinction and ability—men whose support he was sure he should not forfeit by giving an honest vote. This Petition did not come directly to him from any one of these distinguished constituents of his, but it came accompanied by a letter from a lady who explained herself to be the secretary of the London Society for promoting this cause, while the analysis of the signatures had previously been sent to the newspapers. He believed that he was speaking in the presence of one who signed that Petition, and he attached great value to his as to the other signatures, but he did not think that justice had been done to the petitioners by the manner in which the Petition had been treated. If for no other ground he opposed this Bill, because it was a contribution to *doctrinaire* agitation on the part of people who lived in the solitude of their own philosophic ideas, and thought to recast society upon their private theories, forgetful of that great element of human nature which ought to predominate in the affairs of the world. Theory might urge that there was no difference between men and women which the equity of politics should respect, but human nature warned us that if the female character—which was emotional rather than logical—acquired any undue influence in the affairs of State, sentiment and not reason might guide the deliberations of the world. His noble Friend the Member for North Leicestershire had shown himself somewhat inconsistent in the risky argument which he had drawn from the presence of women on the London School Board. First he had treated the present Bill as a very little measure, and ridiculed the apprehensions of those who argued that women's suffrage might lead to women's Membership. Then he not only appealed to the presence of women on the London School Board as a thing good in itself, but he proceeded to exalt the dignity and importance of the London School Board as a body hardly inferior even to Parliament. But if women already sat in an assembly which was by his noble Friend's own showing so important, where was the absurdity of anticipating that if this Bill passed Parliament itself might soon be within the female grasp? The election of women on School Boards should be a warning that, if the proposed concession were made, the agitation would go on until, in mere weariness and disgust and utter scepticism as to any good result from further resistance, we might have England governed by that which had never before been heard of except in the Rome of Elagabalus—a Senate of Women.

Mr. FAWCETT: As I have not spoken upon the subject since the Bill was first introduced, I trust that the House will allow me to make a few remarks. With regard to the speech of the hon. Member for the University of Cambridge (Mr. Beresford Hope), it is only necessary for me to say with reference to the Petition to which he has very pointedly alluded, that I believe I have authority to state that there is not a single member of the University who signed that Petition who is not perfectly satisfied with the way in which it has been got up, and the matter which it contains. He says it is objectionable that the Petition should have been sent to him by a lady who called herself secretary of the London Society for promoting this cause. Now as one of those who signed the Petition I must say that I do not think it could be entrusted to better hands than the hands of this lady, especially when I know she is the daughter of one of the most distinguished members of the University which the hon. Member represents. I have only one other remark to make in reference to his speech. He says that if women had votes they would be withdrawn from their domestic duties, and that it would be impossible for them to devote the time necessary to enable them to study public questions. Now, in the name of common sense, does he wish us to believe that every man who has a vote is drawn away from the pursuits of his life and from his ordinary daily labour—that an artizan working in a mill—a barrister practising in a court—a doctor attending his patients, cannot properly study public questions without neglecting their ordinary employment. Allow me upon this subject to repeat an anecdote which was related to me a few minutes ago by an hon. Member sitting near me, who represents a northern borough. It will show that the male electors who have votes, are not often, unfortunately, even in their leisure moments, engaged in studying public affairs, but that they sometimes occupy themselves with much less honourable pursuits. I think that the anecdote will forcibly illustrate the injustice of the present system. My hon. Friend told me that at a recent election, when he was canvassing the borough he represents, he, and a distinguished Member of this House, who was then his Colleague, in endeavouring to find two of the electors they wished to canvass, discovered them sotting in a public-house. In fact they were drunk, and were certainly not devoting their leisure moments to the study of politics. After my hon. Friend had had an interview with his two drunken constituents, and was leaving them, a woman came out of her house and said—"I have paid rates for 20 years. How can you say that I ought not to have a vote when you have just been soliciting the votes of these two drunken men?" "Well," my hon. Friend said—"I think what you say is very reasonable," and ever since then he has been a consistent supporter of this Bill. I wish now, in a few words, to refer to the speech of the right hon. Gentleman, the Home Secretary. I am not going to be drawn into a discussion as to the relative ability of men and women. It is not necessary to assert that men and women are intellectually equal in all respects. Nobody can express an opinion on the point until the experiment has been fairly tried, and it never yet has been fairly tried. Give women the same opportunities for intellectual development as men, and then, and not till then, shall we be able to say what they can do. I was certainly astonished to hear the Home Secretary say that no woman had ever been a great painter. Did he forget Rosa Bonheur? He said further, that no woman had ever been a great musical composer. He is not perhaps aware—I think it came out afterwards by accident—of a story that shows that women do not always receive their due deserts. Women do their work quietly, and many a man who has attained great success would never have filled so distinguished a position if it had not been that some woman had helped him. Upon this very question of musical composition it has come out that one of the most admired pieces attributed to Mendelssohn was entirely the composition of his sister. That great composer also admitted that she had helped him in his other works to an extent which he could not describe. I must confess that the Home Secretary astonished me very considerably by going into an historical argument, in which he seemed to think that he had discovered, as a reason why women should not have votes, that it was men who had always defended the country, and that it was the barons who obtained the Magna Charta from King John. If this argument is worth anything it certainly amounts to this, that no one should have votes except barons and soldiers. Repeating the argument of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie), the Home Secretary said, the great argument against the Bill of my hon. Friend was that if it were carried it would ultimately lead to the giving of votes to married women and to women taking seats in this House. Before I reply to that argument let me say that it is an old one. Never was there a great change proposed, or a great measure of reform brought forward, but that some "bogey" was immediately called up to alarm and terrify us. When Catholic emancipation was proposed, and it was advocated that Catholics should have seats in this House, one of the favourite arguments of the opponents of the proposal was, that if the Catholics were admitted to this House there was no reason why a Catholic should not sit upon the throne. One of the favourite arguments used by the opponents of household suffrage was that if household suffrage were granted there was only one other step, and that was manhood suffrage. We have not been intimidated or frightened by arguments such as this, but it seems to me that the Home Secretary and the right hon. Member for Kilmarnock are indulging in doctrines which are dangerous, when they assume to think that property is no longer to be the basis of the qualification for a vote in this country. The right hon. Member for Kilmarnock quoted with commendation a saying of the democratic Benjamin Franklin, that it is idle to suppose that property possesses the exclusive right to the franchise. Without presuming too confidently to predict what will happen, I have no hesitation in saying that these words of the right hon. Gentleman the Member for Kilmarnock, will next Easter Monday be quoted with rapturous applause, when 60,000 men gather together on the Town Moor at Newcastle to demand manhood suffrage. There is no logical reason why married women should not have votes if you demand manhood suffrage. But we who support this Bill do not wish to declare that we desire that the franchise should be based upon any other condition than it is based upon at the present moment—namely, property. Unless a woman can obtain a vote by property we do not wish to do anything either to admit her or to exclude her. It is therefore you who, if you throw this argument of property aside, will be lending an assistance to the agitation in favour of manhood suffrage which I believe you will heartily repent. I wish now, as briefly as possible, to go through the leading arguments which have been advanced in the debate upon this Bill. The reasons in its favour have been stated so often, and I am anxious to occupy as little as possible of the time of the House, that it appears to me to be the fairer course to deal with the arguments against rather than those in favour of the Bill. The first argument is that the majority of women do not ask for this Bill, and that a great number of them are opposed to it. If this Bill contemplated making a woman vote who did not wish to vote, it would not find a more resolute opponent in this House than myself. But when you say that a majority of women are opposed to it, I say that it is impossible to prove it; and I say further, that the same argument, in an analogous case, you did not accept as complete. I remember perfectly well, when I first came into this House, that I heard it stated again and again that the majority of the working classes of this country were not in favour of the extension of the suffrage. It was said that it was only the active politicians among them, just as it is now said that it is only the active women agitators who are in favour of this Bill. Now, what do we observe? No doubt it never could be proved that a majority of the working classes were in favour of the extension of the suffrage, and more than it can be proved now that a majority of the agricultural labourers are in favour of household suffrage in counties; and yet it was again and again stated that the majority of the working classes were in favour of household suffrage. The House soon after that recognized the justice of the claim for an extension of the suffrage to the artizan class, by having once recognized the abstract justice of the plea. But the argument which no doubt produced the most influence on the House is this, that at the present time the interests of women are far better looked after by men than they would be looked after by themselves; and it was said by the Home Secretary that if you could only prove to him that women's questions of a vitally interesting nature were treated with injustice in this House, it would be a conclusive argument in favour of voting for the Bill. Nothing could be further from my mind than to accuse this House of consciously doing anything which is unjust or wrong to women, but women and men may have very different views of what is best for women, and our position is this, that according to the principles of representative Government it is only fair that women should be able to give expression to their wishes on measures likely to affect their interests. Take for instance the case of educational endowments. The Endowed Schools Commissioners have again and again said that one feeling they found prevalent in the towns was, that educational endowments should be so used that the wants of every boy should be satisfied before any attention is paid to the wants of women. What right have we to suppose that this is the opinion of women on this subject, considering their enthusiasm for education? What right have we to suppose that if they could exercise power in this House they would not demand an equal share in the educational endowments of the country? I wish to direct the attention of the House to what seems to me a most important argument on this subject. Hitherto the question has been treated too much as if it simply concerned women of property. Now, you say that men can be safely entrusted to legislate for women—that men can be safely entrusted in the constituencies to represent the wants of women. I say that anyone who studies the industrial history of the country—anyone who looks to what trades unions have done—cannot for a moment believe in this conclusion. What are the arguments in favour of trades unions. I am not opposed to trades unions. One of the first speeches I ever made was in their favour, but at the same time I do not conceal their defects. It has been again and again asserted that without the power of combining in trades unions it would be impossible for workmen to obtain a proper reward for their labour, and that it would be impossible to secure their just rights. This is their deliberate conviction asserted a thousand times over. But have they ever admitted a woman to these trades unions? They have almost invariably excluded women, and although they say that without these combinations it is impossible for labour to obtain its just reward, they take very good care to exclude women from them. I have known, on several occasions, when a trades union has organized a strike, that when the women who had had no voice in deciding upon the strike showed themselves anxious to take advantage of the labour market, the trades unionists stood outside the shops, to keep women away from doing men's work. What took place in the Potteries? It is perfectly well known that for years and years men were so jealous of the competition of women labourers that they made it a rule in the trades union that the whole force of the union should be used to prevent women from using the hand-rest which the men invariably avail themselves of, and which greatly facilitates the rapidity and precision of the work. Let us look to our legislation for the future, and I ask the House calmly to consider whether looking at some of the measures likely to be brought forward, it is not of essential importance that we should take the opinion of women upon them. Probably there is no social measure existing in connection with the manufacturing districts which is of so much interest at the present time as the Nine Hours Bill, introduced by the hon. Member for Sheffield (Mr. Mundella). I have no doubt that the hon. Member has introduced that Bill with the purest motives; it is a Bill that affects vitally the interests of the unrepresented classes. Now what is this Bill? It is a Bill that limits the labour of women to nine hours a day. What must be the inevitable result of that Bill? It must do one of two things—either impose a legislative limit of nine hours a day all over the country—and in that case call it a general Nine Hours Bill, or it must inevitably place the most serious restrictions and impediments upon the employment of women. For how can a manufacturer, unless he employs women on the principle of half-time, say that directly the nine hours are up, every woman must leave, and then let the mill go on working for another hour or two without a woman being employed? The inevitable result will be to place grievous impediments in the way of the employment of women, and before we sanction such a measure it certainly seems to me that women should be consulted. It is, in my opinion, of the utmost importance that their opinion should be consulted. I am bound in candour to say—I do not know whether the sentiment is popular or not—that, looking to the past industrial history of this country, and seeing what the trades unionists have sometimes done to women, I am not certain that there is not at the bottom of the movement a feeling which is prompted by the jealousy of men with regard to the labour of women. But there is an argument, perhaps not avowed in this House, that is, nevertheless, producing a great influence upon the Liberal Members, and it is one to which I wish particularly to direct the attention of hon. Members. I have heard it said again and again, by Liberal friends of mine, that they cannot vote for this Bill because they think one of its consequences would be to hinder the disestablishment of the Church. They are of opinion that the majority of women are opposed to disestablishment, and that if this Bill is passed it will put back that question 50 years. I am anxious to speak on this subject, because I have always been in favour of disestablishment, and I shall always be in favour of it. But although these are my sentiments, it certainly seems to me to be an injustice of the grossest possible kind if we for one moment sanction the exclusion of women simply because we feel that they are so much in favour of the continuance of the Church that if they could exercise their vote the Establishment of the Church would continue. Would it not be an injustice — almost amounting to a fraud — if the Church were disestablished on the plea that just a bare majority of the electors were in favour of disestablishment, when, at the same time, we believe that the feeling of women in favour of Establishment is so great that the majority of the men would represent only a minority of the whole nation—and that, taking men and women together, the majority is not in favour of disestablishment but of establishment? It may, of course, be said that in some questions the opinion of men is more important than that of women, and that the opinion of 100,000 men in favour of a particular proposal represents more weight than the opinion of 100,000 women against it. But can you say this with regard to such a question as the Church, or the question of the Nine Hours' Bill, or others I might enumerate? Surely you cannot say it with regard to the Church, for the spiritual welfare of women is of just as much importance as the spiritual welfare of men, and in a question whether the Church should be continued as an Established Church or not the opinion of women ought to exercise the greatest amount of influence upon us. We ought to endeavour to trace out what is the effect of the Church Establishment upon the great mass of the people, and to whom would you go to obtain this opinion? It seems to me that if I wished to ascertain what is the effect which the Church is producing at the present time I should go to those who are most practically acquainted with its working—those who see most clearly its influence among the poor—and I believe they are women and not men. Now, however much I may be in favour of disestablishment, it seems to me that to exclude women from the vote, simply because we think it would delay the reform we desire, is sanctioning a principle which is essentially unfair—essentially unjust—and is just as unreasonable as if the Church party were to try to disfranchise the Nonconformists because the Nonconformists have tried to disestablish them. It seems to me, further, that you cannot rest the exclusion of women upon the ground that they are unfit intellectually for the franchise. Last year you did that which showed conclusively that in your opinion, however unfit intellectually they might be to vote, yet if they possessed a certain property qualification they ought to have a vote. You cast to the winds the idea of anything like intellectual fitness when you were occupied night after night in elaborating various schemes for securing the representation of the illiterate voter. It is evident, I think, that "coming events cast their shadows before." I infer from the speech of the Home Secretary that the Government are about to join the Liberal

Members at this end of the House in support of the Bill of my hon. Friend the Member for the Border Burghs (Mr. Trevelyan) in favour of giving the agricultural labourer a vote. But if we enfranchise the agricultural labourer, and refuse to give a vote to women, we shall be landed in this dilemma—we shall declare that although the labourer, however ignorant, ought to have a vote, no woman, however intellectual, ought to enjoy it. I will only in conclusion allude to one thing which, no doubt, has greatly prejudiced this Bill. It has so happened that my hon. Friend the Member for Manchester has been identified with another agitation, and it has also happened that many persons who are advocates of this Bill outside this House have also been identified with that agitation in favour of the repeal of the Contagious Diseases Acts. It appears to me singularly unfair to let such a consideration as this in the least degree influence our decision. It would be just as unfair as it would be to let our decision be influenced on any question that can be brought forward by my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson), because he happens to be identified with the Permissive Bill. I can only say that many of those who support this Bill differ fundamentally from the views held by the hon. Member for Manchester in reference to the repeal of the Contagious Diseases Acts; and many of those who are the strongest advocates of the Women's Disabilities Bill outside the House are also opposed to the manner in which the agitation against the Contagious Diseases Acts has been conducted. Now I will only say in reply to the argument of the right hon. Member for Kilmarnock, that he seems to think that those who support this Bill wish to make woman less womanly. If the right hon. Gentleman can convince me that giving them a vote would make them in any respect less womanly, or men less manly, I would immediately vote against the Bill. He concluded by quoting a sentence from Addison, in which he says that the glory of a state consists in the modesty of women and the courage of men. I have yet to learn that this Bill is calculated to make women less modest; and I have also yet to learn that giving women a vote, can in the slightest degree diminish the courage of men. It is probable, nay, almost certain, that this measure will not be accepted on the present occasion. I believe that the feeling in its favour is growing. I believe, if there are no more solid reasons than those which have been advanced against it to-day, it is certain to stand the trial of free discussion. It is possible that women exaggerate the advantages which the passing of this Bill will confer upon them, but I am most firmly convinced that the other consequences which are attributed to it by the opponents of the measure are infinitely more exaggerated.

Mr. HERON: Sir, the usual arguments have been adduced at this stage against the Bill of my hon. Friend the Member for Manchester. My hon. Friend the Member for Huddersfield has introduced what I may call the facetious argument, and has referred to the possibilities of what might occur if we had a lady Prime Minister, which invariably provokes a laugh. It is easy, as in a Christmas play, to introduce a baby in a perambulator, and to ill-treat that unfortunate argument. But the hon. Member for the University of Cambridge has referred to one or two matters of importance which I invite candid attention to. Among other things he has said that there is no possibility of injustice being done to a woman by being deprived of the franchise; but I would just remind him that in Ireland it has repeatedly happened in the pastoral districts that a woman, the wife of the elector, and who has practically been the head of the household for years, contributing mainly to its sources of income, as the head and manager of the dairy farm, has, on the death of her husband, received notice to quit, and been driven from the house which she had for years supported. Then some reference has been made to what I may term the historical argument. I thought that was an argument which had been long since exploded, but we have had references to the invasion of England by the Anglo-Saxons, and to the assembling of the barons at Runnymede. Women had no votes then. But it must be remembered that in those times Parliamentary representation did not exist. Representative government, as it is now understood, is only a matter of the last few centuries in the history of the world. It is idle to draw historical allusions from a remote antiquity or even from the middle ages, seeing that in those ages Parliamentary representation did not exist. We are also met by what is called the logical argument; but when it is urged that women are deficient in logical acuteness I would ask how many hon. Members there are in this House who could stand a competitive examination in the works of John Stuart Mill if that were a qualification for entering Parliament. The common argument is that women should be placed on too lofty a pedestal to be dragged through the mire of political contests, but I would refer hon. Gentlemen who use that argument to a consideration of the many degrading employments of women, and I would ask how long it is since women were compelled to work in the mines of England and Scotland. Is it not the fact that even now they are condemned to the most menial domestic offices, and to those employments out-of-doors which at all events do not place them on that political pedestal of beauty on which hon. Members seek to place them. Now the present Bill is not a matter of the great importance which some hon. Members seem to attribute to it. It does not enfranchise any enormous number of women, and I would ask anyone whether, in the present state of modern society, intelligence, good sense, good conduct, and a property qualification should not have a right to the franchise irrespective of sex. If women got the franchise under the Bill which gives it to those illiterate voters for whom we sat hours and weeks last year in order to secure it to them, I do not think they need be at all afraid of any comparison that might be made; and I would ask why women who trade in every trade, who work in every work, and who are artists in every art, are not to be considered fit to hold the electoral franchise. I shall not detain the House from a Division any longer; but I trust that by the vote to be recorded to-day progress will be made in this matter, and that at all events a great number of hon. Gentlemen will declare that the electoral franchise is no longer to be denied to that half the community who are not the least suited to advance the prosperity and happiness of the empire.

EARL PERCY: I thank the hon. Member for Brighton for one or two admissions which he made in the course of his speech. He told us that a community of trades unionists declined to allow their wives to become members of trades unions, and beat them with sticks from the doors of the shops where they applied for work during a strike, and yet we are constantly told that this class should occupy a most prominent position in reference to all legislative functions. Then he told us that the Church ought not to be disestablished until we had taken measures to ascertain the feelings of all those who had any interest —I had almost said in their eternal welfare. I think the question before us is one on which the House has probably already made up its mind, and therefore, as it would be idle to spend much more time upon it, I shall not go into one or two other points in the hon. Gentleman's speech to which I might otherwise have referred. The hon. Gentleman, however, told us one curious story about two men in a house being drunk and a woman sober, from which he drew the conclusion that the woman ought to have a vote. That was very peculiar logic, for it was equivalent to saying that where A is a man who is sober and B a man who is drunk, A ought to have a vote and B not. That is an argument scarcely worthy of the hon. Member. But what I rose for chiefly was to express my astonishment at the support which this measure has received from this side of the House, because I look upon it in the same light as the right hon. Gentleman the Member for Kilmarnock, as being the most utterly revolutionary one which has been brought before us for a very long period. I know I shall be told that it is a very Conservative measure, that ladies are very great admirers of Conservatism, and so forth. If hon. Members mean by this that it would be a very popular party move, I do not feel myself in a position to be able to give an opinion upon that subject, but if it is meant that Conservative principles would be supported by such a measure, I must say that if that were the case it would be the most remarkable instance of gathering grapes from thorn bushes that was ever witnessed in the history of the world. I look upon this measure as a symptom of that spirit which is now so widely spread abroad— the spirit which seeks to do away with all distinctions in society, whether made by God or man. It is not difficult to see the motive which actuates the agitators of this question—that Will-o'-the-wisp that seems to have been reserved for us in the 19th century—the delusion of equality. It is equality in everything that makes them advocate the female franchise. This is a levelling Bill, and I am convinced that no good can possibly arise from it. We are told on rather high authority that the proper duty of a woman is to be discreet and to keep at home, and from recent experience it certainly would seem that when they cease to be keepers at home they cease to be discreet. We are retrograding in civilization, and no considerations of experience or revelation seem to have any weight with us. But we can still perceive what the laws of Nature impress upon us, and I certainly never heard until this evening the theory really advanced that we should have regiments of Amazons. We do not seem to know that it is not fit for women to teach in large assemblies—yet that discovery was made 1,800 years ago. Nor do we perceive what part women have played in history. I know that if this measure had been passed in former times the result would have been that all the viragoes and furies in history would have been the most active voters in contested elections, whereas all the most respectable part of the female population would have stayed at home. It is necessary to remind the House that women's passions are infinitely more violent, when once called forth, than men's. Who was it that was the chief instigator of the massacre of St. Bartholomew? Has the House forgotten the part that women played in the most horrible scenes of the French Revolution? The state of Europe is not so tranquil now, the future politics so calm, that this is a fit time to invite the young ladies of England to engage in political strife. Of all ages the present is, perhaps, the one in which political power is most unfitted for them; but the principle is the same in all ages. The real fact is that man in the beginning was ordained to rule over the woman, and this is an Eternal decree which we have no right and no power to alter. I know this truth has been abused, and that the strong have ever tyrannized over the weak in this as in every other relation of life. But if the remedy for this is to put the weak on an equality with the strong, then we must overthrow every authority and throne in Europe, for all have alike abused their power. This is the radical solution of the difficulty, but it is not one which should have found support from Conservative benches.

Mr. GOLDNEY opposed the Bill, which was a mere skeleton Bill, and, as it stood, did not exclude married women from the franchise. The notion of woman's equality was put forward during the French Revolution, and was even then scouted as ill-judged and impracticable.

Mr. KNATCHBULL-HUGESSEN readily endorsed the remark of the noble Lord opposite (Lord John Manners), that this was not a subject to be treated merely with sentiment and levity. A demand for enfranchisement advanced by a large number of individuals, and advanced in an earnest and respectful manner, with much eloquence, persistence, and ability, was entitled to a considerate reception at the hands of the House; and he felt that the jokes which were made upon the subject were hardly such as did credit to the dignity of the House, or were consistent with the good taste which generally characterized the debates of a legislative Assembly of English gentlemen. He was bound, however, to say that the proposer and seconder of the measure that day had somewhat tempted attack, and especially the latter, who had calmly advanced the proposition that all the arguments against the measure had been so frequently and successfully answered that it was unnecessary to do so again. That hon. Gentleman (Mr. Eastwick) had moreover fallen into a strange inconsistency. He had said that it was absurd to suppose that there was anything in the constitution of woman which rendered her less fit for laborious occupations than man, and he had instanced cases in which women had proved themselves as good soldiers as men, and had served as such without their sex being discovered. But in the very next breath he said that no one in his senses really believed that, if this Bill were passed, women would sit in that House, because it was palpable to everyone who heard him that the toils and labours of the life of a Member of Parliament were greater than the nature of any woman would enable her to endure. The real truth was—and upon this rested the whole force of the case of the opponents of the Bill—that nature, or, to speak more properly, God, had created organic differences in the constitutions of men and women, assigning to each sex duties which the other was incompetent to discharge. That was the whole point of the matter. There were certain duties which could be performed by men and not by women, and certain duties which could be performed by women and not by men. He would not attempt to follow the course of the debate, and he regretted that after several defeats; the question had again been mooted in the last Sessions of an expiring Parliament. He still retained the opinions which he expressed last year against the Bill, but his vote would certainly not be influenced by any such motives as those alluded to by the hon. Member for Brighton. He thought that the question whether women would vote for one political party or the other, was one which would not weigh for an instant with hon. Members, who would consider the question conscientiously. He should not follow the hon. Member for Brighton in his remarks, as to the bearing of this question on the disestablishment of the Church; but what he did contend was that if they gave women the franchise by this Bill they could not give them additional rights without giving them also additional responsibilities. If women were to have an equal share with them in their rights, they must be prepared to have equally their responsibilities, and he for one would not expose his countrywomen to that. No doubt there might have been many passionate and eloquent speeches made by different women on this subject, but he did not think they had yet seen any conclusive proof of the general wish of the women of the country for this measure. He wanted to say a few words upon the Bill, because his constituents had been visited by those ladies who went about the country. He had nothing to complain of in the tone those ladies adopted, but only that when they came into his locality they did not give him the opportunity of offering them such hospitality as he might be able to offer. As for the Bill itself, Parliament had already pronounced against it. The reasons which induced him to oppose it last year were equally in force now, for while he had listened with respect to the arguments given in favour of the measure, he was bound to say that he remained of the same opinion as last year.

Mr. HENLEY: Sir, I have always voted against this Bill, but I have lately watched carefully the operation of the exercise of the franchise both in municipal and in school board elections by women, and as I think it has been beneficial in these cases I do not see any reason why it should not be beneficial in Parliamentary elections. What my hon. Friend has said has confirmed me in the view I have adopted. He says the French revolutionists considered that they would not have the women. Well, I do not want us to be revolutionists, and that is an additional reason why we at all events should give the franchise to women. As to any insecurity in the wording of the Bill, that may be set right in Committee. The principle is that women should have the right of voting. I confess that I have always hitherto voted against the Bill, but for the reasons I have stated I shall now give it my hearty support.

Mr. NEWDEGATE: Mr. Speaker, I am sorry that many hon. Members were not present to hear the able speech of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie); I still more regret the conduct of some Members on this side of the House, who heard the right hon. Gentleman. While I listened to the speech of the right hon. the Member for Oxfordshire, who has just sat down (Mr Henley), and to the speech of the noble Lord the Member for Leicestershire (Lord John Manners), these right hon. Gentlemen recalled to my mind the old adage—

> "A woman convinced against her will,
> Is of the same opinion still."

And it appeared to me that this feminine peculiarity had infected some of the advocates of the Bill on this—which is said to be the Conservative—side of the House. I hope, that these Gentlemen are in a small minority among us, for I cannot look upon this as a Conservative measure, although it was so represented by the hon. Member for Brighton (Mr. Fawcett), yet he said he was in favour of the disestablishment of the Church, and then went on to tell us, that, in order to maintain the Church as an establishment, we should disestablish the manhood qualification of the electors. Sir, it was an observation of Mr. Burke, that literary men as politicians are too much given to change; and of the truth of this, I cannot conceive a more striking illustration than the hon. Member for Brighton has afforded. Desiring, as he does, the disestablishment of the Church, how can he expect us to accept his advice to adopt so revolutionary a measure as female suffrage, when we know, it is considered so ultra-democratic, that it has been rejected by every State in the American Union; and yet that we should do this with a view to preserving the Established Church, which is peculiarly characteristic of the Conservative constitution of this country? The weakness of the arguments in favour of this Bill has been most extraordinary; the hon. Member for Penryn (Mr. Eastwick) said, that we have refused to enter into argument with him. But why? Because we dispute his premise. His premise is, that there is no mental difference between men and women. The whole course of Revelation and of history confutes that proposition, and it lies at the foundation of the arguments, attempted in favour of this Bill. The teaching of history is emphatic in this point; and I lament, that hon Members on this side of the House, who call themselves Conservatives, should totally abandon the very foundation of their claim to that title by giving their support to this measure. Experience has taught me to fear the zeal of converts. A Conservative Government, composed of Gentlemen now sitting on this side of the House, brought in and carried a measure of Parliamentary reform, which I have heard repeatedly condemned as too democratic by Gentlemen on the other side of the House; and since the right hon. Gentleman on this side of the House took that course, it appears to me, that some of the leading spokesmen of the Conservative party are more rash in their views of innovation, than many Members on the opposite benches. I was glad to hear the constitutional and manly speech of the right hon. Gentleman the Secretary of State for the Home Department. The right hon. Gentleman told us, that he did not represent the views of the Government upon this question, and that the Government are divided upon it. So much the worse for the Government. I will for a moment consider an illustration, that was used by the hon. Member for Brighton. The hon. Member says, that trades unionists refuse to admit women to their unions. I do not justify in the least the excesses, he mentioned, as are sometimes committed by these bodies; but I do say that, in coming to this conclusion, the artizans seem to me, in the deliberate exercise of their judgment, to have furnished an argument against this Bill, and surely they are qualified to judge of the interests of their own order. This shows the feeling of the artizan class and the lower grades of Society. By citing their example the hon. Member for Brighton has furnished us with an argument against this Bill. I hold that we ought not to manifest less respect for manhood than these men. Now let the House consider its own position: the present Parliament began its career by professions of regret and repentance for the supposed sins of its predecessors against Ireland. The House put on sackcloth and ashes in the presence of Irish turbulence. During two Sessions this House, arrayed in sackcloth and ashes, devoted itself to the satisfying of Irish demands. You first disestablished the Protestant Church in Ireland. You next gave a large portion of the land, of the property, that once belonged to the landlords to the tenants. In the third Session, you passed an Election Bill involving the adoption of secret voting, a measure, which the Prime Minister at the outset acknowledged, inflicted upon him a painful sense of degradation; and in this he was echoed by the hon. Member for Taunton. Now, I pray the House not to proceed further in this course of humiliation. I pray you to stand by your manhood. Do not for one moment admit, being as you are, men, an assembly of men elected by men, that you cannot or will not do justice to women. Be assured, that you cannot, either as a House of Commons or as individuals, command the respect of Englishmen, of Scotchmen, or of Irishmen, if you are perpetually repeating and acting upon the understanding, that you are ashamed of the conduct of your own predecessors, and feel yourselves incapable of performing the common duties of manhood; and among these stands prominent the duty of guarding and protecting the interests of women.

Sir JOHN TRELAWNY said, that although he had hitherto supported this Bill and intended to do so now, he could not help remarking that during an important debate to which ladies ought not to have listened, ladies were in the gallery fanning themselves, and that much mischief had been done by ladies going about the country to agitate for the repeal of the Contagious Diseases Acts. He referred to some passages in the 34th Book of Livy, in which there is censure of certain women for proceedings therein described.

> "Matronæ nullâ nec autoritate nec vere cundia, nec imperis virorum contineri limine poterunt. . . . . At que ego vix statuere apud animum meum possum utrum pejor ipsa ves est an pejore exemplo agatur."

Mr. JACOB BRIGHT: I am not going to make any speech in reply to the debate; but I should like to thank the right hon. Member for Oxfordshire for what I should consider, in spite of what the hon. Member for North Warwickshire has said about manhood, as one of the most manly speeches made in the course of this debate. I must congratulate those who support this Bill upon that speech, for I remember the influence which the right hon. Gentleman has exercised on this House and in this country in regard to household suffrage for men. I believe his speech to-day will have a great influence in household suffrage for women. I now leave the question to the judgment of the House.

Mr. GREENE could not understand on what ground this Bill could be supported as a Conservative measure. He should be very sorry to see any Member in the House vote for a measure which he did not believe to be for the good of the community. He did not believe it to be for the good of the community to enable ladies to vote at Parliamentary elections, although no man had a higher regard for them than he had. He had taken counsel with many ladies on this question, and nearly all of them advised him not to vote for this measure, because they were of opinion that the operation of it would excite unpleasant feelings between themselves and their male relatives. He would tell a little story which might be of some service to political ladies whose husbands were refractory as to voting. There was a poor woman in his parish who had a very bad husband. A clergyman advised her to talk kindly to her husband, and thus try to "heap coals of fire on his head." Subsequently, the clergyman asked her how matters were going at home. She replied—"I thought a good deal about putting fire on my husband's head, but I tried boiling water."

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 155; Noes 222: Majority 67.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *put off* for six months.

LAW AGENTS (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill to amend the Law relating to Law Agents practising in Scotland, *ordered* to be brought in by The Lord Advocate and Mr. Adam.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 1st May, 1873.

MINUTES.]—Public Bills—*First Reading*—Gas and Water Provisional Orders * (87).

Second Reading—Elementary Education Provisional Order Confirmation (No. 1) * (68); Elementary Education Provisional Order Confirmation (No. 2) * (69).

Committee—Supreme Court of Judicature (73).

Third Reading—New Zealand Roads, &c. Loan Act (1870) Amendment * (76).

SUPREME COURT OF JUDICATURE BILL. Nos. 14, 45, 73,

(*The Lord Chancellor.*)

COMMITTEE (ON RE-COMMITMENT.)

Order of the Day for the House to be put into a Committee, read.

Moved, "That the House do now resolve itself into Committee."

House in Committee accordingly.

Lord REDESDALE said, that instead of moving at this stage the Resolutions, of which he had given Notice, he would move them on the Report.

Part I.

Clauses 1 and 2 (Constitution and Judges of Supreme Court), *agreed to*.

Clause 3 (Union of existing Courts in Supreme Court), *agreed to*.

Clause 4 (Division of Supreme Courts into High Court and Court of Appeal), *agreed to.*

Clause 5 (Constitution of High Court of Justice.)

Lord CAIRNS: My Lords, I will now ask your Lordships' attention to the Amendment I have to propose in this clause, and which raises a question of considerable importance with reference to this measure. I am glad to say that though several Amendments appear in my name on the Paper, they in point of fact all resolve themselves into one main question. The question raised by the Amendment which I have to propose is, so far as I am aware, the only point of difference as regards the plan contemplated in this Bill; but if your Lordships—as I hope you will—should think fit to adopt the change contained in my Amendment, that change can be made without the slightest difficulty and without any injury whatever to the scope and bearing of the Bill; while it will, as I think, be of great advantage to the new system about to be established by the measure of my noble and learned Friend on the Woolsack. I have to propose in this clause that the words "the Lord Chancellor" be inserted in line 12 of page 2 of the Bill, so as to provide that the Lord Chancellor shall be a member of what is to be termed the High Court of Justice. While your Lordships are considering the Amendment I must ask you to take Clauses 5 and 31 of the Bill together, in order that you may fully understand the nature of the proposition in the Bill. The outline of the measure proposed by my noble and learned Friend may be very shortly described as one having for its object the consolidation of all the principal Courts of the country; and inasmuch as those Courts at present administer some of them a system of jurisprudence different from that administered by the others, the object of this Bill is to bind up in one common system all the jurisdiction of the Courts of Law and of every Court in the country administering primary jurisdiction, and to allow each of them to administer that portion of the general business to the discharge of which it is best fitted. That being the scheme, the Bill proposes that it should be divided into two great portions—one, the Primary Court, to be called the High Court of Justice, and the other, the Appellate Court, to deal with appeals from the Primary Court. Well, my Lords, such being the outline of the measure, I have to remind your Lordships of what was so clearly stated by my noble and learned Friend on the introduction of the Bill. He stated that for the purpose of effecting an easy transition, the distinction existing between the Courts was to be retained as a matter of arrangement. The principal Common Law Courts and the Court of Chancery for that purpose, and that alone, are to be kept distinct and to become different Divisions or Chambers of the High Court of Justice. That was the recommendation of the Judicature Commission, and the Bill professes to carry it into effect. And it does so in respect of the Courts of Common Law—the Queen's Bench, the Common Pleas, and the Exchequer. Those three Courts become Divisions or Chambers of the High Court; they are to be continued under their present Chiefs, and those learned Judges are to retain the titles which they at present bear. This would be, so far as the Courts of Common Law are concerned, a most judicious arrangement. But when we come to the Court of Chancery we find a marked distinction, and one that I fear will be attended with very injurious results. The present constitution of the Court of Chancery is this:—The Lord Chancellor is the head of the Court; by legislation of comparatively recent years there are two Lords Justices of Appeal in Chancery who sometimes sit alone and sometimes sit with the Lord Chancellor; generally disposing of Appellate business, but sometimes disposing of Primary business. Here, then, we have three Primary Judges of the Court of Chancery, the Lord Chancellor being the head. We next come to the Master of the Rolls, who hitherto has performed in Chancery the functions of a Primary Judge; and then come three Vice Chancellors who are Primary Judges. So that, on the whole, there are seven Chancery Judges, with the Lord Chancellor at their head, four of them Primary Judges, and the Lord Chancellor and the Lords Justices, Appellate Judges. Now contrast that with what this Bill proposes in respect of the Court of Chancery which is to be the second Division of the High Court of Justice. The 31st section deals with the question, and enumerates the Judges who are to constitute the various divisions of the High Court. It provides that the second Division shall consist of four Judges, and shall include the Master of the Rolls; who shall be the President, and the several Vice Chancellors of the Court of Chancery, or such of them as shall not be transferred as ordinary Judges to the Court of Appeal. The clause therefore reduces the Court of Chancery, which now consists of seven Judges to four; it takes away the present head of the Court, and provides that the Master of the Rolls shall be President. If the matter rested there, it appears to me my case would have been a strong one. Continuing in the Common Law Courts five Judges, and reducing the number of Judges in the Court of Chancery from seven to four appears to me to be a violent change; but the change is really greater than even section 31 would lead your Lordships to imagine — because, looking merely at that section, it might be supposed that the Master of the Rolls would continue to be, as he is now, a Primary Judge, disposing of business coming before the Court of Chancery in the first instance. But that would be a delusion, because another section takes the Master of the Rolls and makes him a member of the Court of Appeal. I have no objection to his being dealt with in that way—it is a very proper course to take with a Judge in his high position; but I must state to your Lordships that it is wholly out of the question that the Master of the Rolls can perform the double functions of a member of the Court of Appeal and a Judge of Primary Jurisdiction in the Court of Chancery. I am glad of the presence of my noble and learned Friend (Lord Romilly), who for a period longer I believe than that during which it has been held by any other Judge has filled the office of Master of the Rolls. In the noble and learned Lord's presence I must not attempt to speak of the manner in which that office has been filled by him; but I may allude to the fact that, taking the average amount of business disposed of by the various branches of the Court of Chancery during the last 22 years, my noble and learned Friend, owing to the constancy of his sittings, or to his aptitude for business, or to both, has got through as much business as any other Judge and a half. Now, that being so, I appeal to my noble and learned Friend and ask him this question—Would it be possible for the Master of the Rolls, continuing to sit as a Primary Judge in the Court of Chancery, and disposing of the business he has hitherto disposed of, to perform also the functions of a Judge of Appeal in the Appellate Court to be created under this Bill? Your Lordships will remember that the Judges of the Court of Chancery sit continuously, except during the vacations, and if you withdraw one of them from his Court, you stop the business of the Court; you suspend the operations of the bar in that Court, and you interrupt the business of the suitors, which causes not only a great loss of time, but a very great waste of money. I am aware that my noble and learned Friend has been accustomed to sit in a Court of Appeal—the Judicial Committee of the Privy Council; but I believe I am correct in saying that the occasions on which he has done so were periods of vacation in the Rolls and other Courts. I am confident, however, that as a general rule you cannot have the Master of the Rolls performing the functions of a member of the Court of Appeal. It is clear that there will be no superfluous or ornamental members of the new Appellate Court. The attendance — the constant attendance — of all the members will be required; so that as the Bill stands the Chancery Division of the High Court of Justice will consist of nominally four members, but in reality only three—because the Master of the Rolls will be taken away to serve as one of the members of the Court of Appeal. It is quite true that when the Judicature Commission considered the subject they recommended that the Master of the Rolls should be a member of the Court of Appeal; but they recommended also that an additional Vice Chancellor should be substituted as a Judge of the First Instance for the Master of the Rolls. They held it impossible for the Master of the Rolls to perform the functions of a Primary Judge, and at the same time act as a member of the Court of Appeal, and therefore they recommended that an additional Vice Chancellor should be appointed as a substitute for him in the Court of Chancery. I am asking your Lordships at this moment to consider what would be the staff of the Court of Chancery. Let me ask you to compare the staff of the Court of Chancery even at present with the staff of the Courts of Common Law. If you take the cases which actually come to be tried, you will find that as many cases are tried in the Court of Chancery in a year as in the three Courts of Law; and the cases tried in the Court of Chancery involve questions certainly as grave as those disposed of by the Courts of Common Law, and involve an amount of property, not only equal to that dealt with by the Courts of Common Law, but very greatly exceeding it. Now, at present, you have a staff of 18 Common Law Judges against seven Equity Judges. Mind you, I do not say that the Common Law Courts have too many Judges. I am only asking your Lordships to consider what will be the results when the proposed fusion is effected. What is the existing state of things as regards business in the Court of Chancery? I do not know whether your Lordships have been observing the remonstrances which have been made as to the accumulation of business in that Court? Here I would beg it to be understood that I am in no way insinuating that my noble and learned Friend the present Lord Chancellor is in any way answerable for that accumulation. I believe that everything that man could do he has done, and will be done by him, to dispose of the causes brought into that Court. The accumulation arises from the limited staff of the Court and not from any shortcomings of my noble and learned Friend and the staff of the Court. Well, my Lords, I observe that the other day one of the Judges of the Court of Chancery—one of the Vice Chancellors—said the arrears in his Court were such that they amounted to a denial of justice to the suitor. That is a very serious statement coming from a Judge. Again, in a letter to *The Times*, "A Solicitor" states—

"I wish to draw the attention of the public through your columns to the present state of the business in the Court of Chancery. I shall not make any comment, but leave facts to speak for themselves. In June, 1872, a special case, in which I am concerned, was set down for hearing before Vice Chancellor Malins. In the Cause List for Michaelmas Term, 1872, the case stood No. 47. In the Cause List for the sitting after the same Term it stood No. 45. In the Cause List for Hilary Term, 1873, it stood No. 52. In the Cause List for the sittings after the same Term it stood No. 27, and in the Cause List for the present Term it stands No. 30. Practically, therefore, even if the case be heard during the present Term, nearly 12 months will have elapsed between the time of setting down and the hearing. In another case, in Vice Chancellor Bacon's Court, I carried an order into his Honour's Chambers on the 14th of March, 1871, directing various accounts to be taken and inquiries made of a complicated nature. These accounts and inquiries have recently been completed, all possible diligence having been used by the solicitors in the cause, but I have not yet got the draft certificate, and I cannot tell when it will be delivered to me; and after it is delivered two or three months at the least will probably elapse before it is finally settled. This most vexatious delay is caused in some measure by the mode of doing business in Chambers, but more especially by the enormous amount of work which each Chief Clerk has to undertake. I make no complaints of the Vice Chancellors, or their Chief Clerks—on the contrary, I believe they do all that men can be reasonably expected to do; but the truth is there is not a sufficient number of Judges, and the Staff is wholly unequal to the amount of business. I have known the Courts of Chancery for upwards of 40 years, and believe that at no time during that period has the delay in proceeding with business been greater than it is at the present time."

"Another Solicitor" writes to *The Times* a letter, in which he states—

"The letter of 'A Solicitor' in *The Times* of to-day is too moderate. There are now waiting to be heard 69 causes before the Master of the Rolls, 193 before Vice Chancellor Malins, 55 before Vice Chancellor Bacon, and 190 before Vice Chancellor Wickens—or 507 in all, to be heard by four Judges. This, besides as many other applications by petitions, motions, and adjourned summonses, will give about 126 causes to each Judge, and at the present rate of progress the last of them will not be heard for three years. To say this is perfectly scandalous is but too mild."

I do not, my Lords, take all these statements for gospel. I dare say there may be some amount of exaggeration or mistake; but they cannot be far from truth. There can be no doubt whatever that from whatever cause—whether from the increase of the business of the country or from the growing complexity of relations between man and man—there are considerable arrears of business. Your Lordships will also bear in mind that there will be an increased demand on the time of the Judges from other causes, and I ask you whether under the new system it is to be expected that the progress of business will be greater. Hitherto, as a general rule, it has not been the practice of the Court of Chancery to take evidence *viva voce*. It has been the practice in the Courts of Common Law, but not in the Court of

Chancery. This has not, I believe, arisen from any objection of the Judges to take evidence in that way, but because they have apprehended, and I think with some reason, that it would occupy too much time. For that reason they have preferred to get the evidence taken beforehand by affidavit. But this Bill provides—and I think rightly, for I am a strong advocate of the system—that the evidence in the Court of Chancery shall be taken *viva voce*. Consequently, there will be a greater demand on the time of the Judges. There would appear, therefore, to be no prospect of a decrease of business, and I think, therefore, your Lordships will be of opinion that to reduce the number of Judges nominally to four, but practically to three, must, by tending to a still larger accumulation of arrears, operate very injuriously against the interests of suitors. No doubt there has been a suggestion that by the provisions of this Bill there will be a power to supplement the strength of the Court of Chancery by passing into it Judges from any of the other Courts. No doubt there will be that power, but it does not, I think, in any way affect the argument I have been addressing to your Lordships. In the first place, you will not have the Judges. Three are to be removed from the Common Law Courts, so that the present number of the Judges of those Courts—18—will be reduced to 15. But that is not all. I speak with respect—with the greatest respect—of the Common Law Judges; I have the highest respect for them; but for years you will not have Judges in the Common Law Courts willing—and, with all deference, I will add competent—to administer in the Court of Chancery a system in which they are entirely untrained. The object of this Bill is to bring about a fusion of Law and Equity, and it appears to me to be of the greatest importance that when you are endeavouring to do that, you should be most careful not to weaken the Court of Chancery either numerically or morally. Your Lordships know that the system of Equity has grown up mainly not through the medium or intervention of Statute Law, but through the efforts of the Judges who have presided in the Court of Chancery to temper the severity and the strictness of the Common Law, and to form a system which would harmonize more with the wider and broader principles of justice; and the highest authorities have been of opinion that in bringing about a fusion of Law and Equity, whenever there is a difference between them, the rules of Equity ought to prevail, and ought to precede those of Common Law. I will quote the opinion of the Lord Chief Justice Cockburn on this point, and there could be no better. He says—

> "I admit that where Law and Equity differ the principles on which justice is administered in Equity are more consonant to rational justice than those of the Common Law, and, consequently, that the Law ought to be adapted to the standard of Equity. . . . . I am not sorry to have an opportunity of, as it were, placing on record my reasons for thinking that the fusion of Law and Equity is a consummation devoutly to be wished; and further, that it must take place at the expense of the Law."

If that is so, and you are proposing to fuse the two systems together, I ask your Lordships to view the matter first from a numerical point of view. Suppose a fusion of metals were proposed, and that 15 ounces of silver were to be fused with 4 ounces of gold. You might have a very excellent metal produced, no doubt; but I venture to say that the alloy would partake more of the nature of silver than of gold; and I have great doubt whether in this incarnation of the fusion of Law and Equity the mixing of 15 Common Law Judges with 4 Equity Judges will not result in the preponderance of the Common Law system over that of Equity when the jurisprudence of the country is carried out under this Bill. I therefore object to the way the Court of Chancery is treated numerically by this Bill, and I object still more strongly to the way in which it is treated morally. The Lord Chancellor is entirely dissevered from the Court of Chancery. Strange as it may appear, when this Bill passes, if it should pass in its present form, he will be a stranger and intruder in the Court which has hitherto been called his own, and of which he has been the head. He will have no more right to enter that Court, to interfere in it or take part in its proceedings, than any other Member of your Lordships' House. But it was said when this subject was discussed elsewhere that though the Lord Chancellor will be severed from the Court of Chancery, he will be a member of the Appellate Court to be established by this Bill, and will have precedence in the Court of Appeal. That, I think, is an argument which may be very shortly disposed of. The Lord Chancellor now sits on appeals; but he sits within the walls of his own Court, also, and is its head. Under this Bill he will not only be a stranger in the Court of Chancery, but he will be only a unit in the Appeal Court. No doubt he will be first in point of rank or precedence, but he will not be there as having any connection with his own Court. It must also be considered my Lords, that the Lord Chancellor's duties in the Court of Chancery are not confined to judicial functions. High as are the functions of the Lord Chancellor in the administration of justice directly by himself, he also performs very useful and important work, which is altogether separate from the administration of justice as between suitors. There are a number of offices and a great number of officers in the Court of Chancery. There are a number of officers who perform duties which are administrative in the strongest sense of the term, and in the offices questions are constantly arising which are submitted to the Lord Chancellor for his judgment, opinion, and advice. If his advice were not taken on questions such as those to which I allude, dis-organization would creep into the office, and a disorder most injurious to the interests of suitors would be the result. This is not provided for in this Bill. It is very true the Bill provides that the second Division of the High Court shall be presided over by the Master of the Rolls; but the Master of the Rolls is not the actual head of the Court of Chancery—in that Division he will be only a Primary Judge, and I do not speak of the individual but of the office when I say that advice which when coming from the Lord Chancellor would, from the traditional weight that attaches to his authority, be received with deference and listened to, would be resisted and resented when coming from a Primary Judge. Then it is all but impossible that from time to time questions should not arise with reference to the conduct of officers of the Court, and it is most important that those questions should be heard by the Lord Chancellor and not by a Judge of the First Instance. Again, your Lordships should not lose sight of the fact that when the right of appeal will be contracted by the provision allowing only one appeal from the original Judge, the discretionary arrangement of having a case heard by two Judges instead of by one becomes very important. These are the reasons which appear to me to make it undesirable that the Court of Chancery should be weakened, either numerically or morally. But before I ask your Lordships to consider my Amendment I wish to say a few words on another point. In my opinion the proposal in his Bill to which I have been referring will have a very serious effect on the office of Lord Chancellor itself. Hitherto the Lord Chancellor has been the greatest legal officer in the kingdom, and he has been so because he has held the position of head of the Court of Chancery. My Lords, there are those who entertain the opinion that it is not desirable the Lord Chancellor, as head of the Court of Chancery, should be a great political officer changing with the Government. I must say that is not my opinion. I hold that, whatever may be said to the contrary, in point of theory, very great advantages have resulted in this country from the fact that, owing to the political office held by the Lord Chancellor, changes and alterations have been made in the mind of that Court more rapidly than could have been the case if those changes and alterations had to depend on the ordinary duration of Judicial life. I would further have your Lordships consider whether in this country, where we have no Minister of Justice, it is not of very great advantage to the public to have one high Judicial functionary connected with the Executive Government, and subject to those Parliamentary responsibilities which result from his presence in Parliament as a member of the Government. If your Lordships share in those opinions, I will ask your Lordships to observe the very serious risk you run of not maintaining that connection between the Lord Chancellorship and the Executive Government if you separate the Lord Chancellor from the Court of Chancery in the manner proposed by this Bill. Consider that if you alter the conditions and the elements of the office you must be prepared to defend it, not as a traditional office, but as one of a new creation. It appears to me that the step proposed may be regarded a new creation—one of a judicial office to be held by a person who will be a mere unit in a large Court of Appeal. The office, no doubt, will be one of importance and dignity, but it will be a new office created now for the first time, and a new office must run the gauntlet of criticisms on a new creation. I put it to your Lordships, without wishing to in any way exaggerate the matter, whether the office of the Lord Chancellor as a political office will not be exposed to danger—whether it may not be said that as you are making a new office to be filled by the Lord Chancellor, it would be very much better that the Lord Chancellor should not be a political officer at all, but simply President of the Court of Appeal. I believe, my Lords, that in the matter my noble and learned Friend, the Lord Chancellor, stands entirely on his own authority, because as far as other authority goes it is all the other way. The Judicature Commission recommended that the High Court should be formed of different Divisions or Chambers; but it laid down as a standard that the Lord Chancellor should be at the head of the Court. In the Bill of my noble and learned Friend (Lord Hatherley), which passed this House in 1870, but was interrupted in its progress through the House of Commons by the press of other business, it was provided that the Lord Chancellor was to be at the head of the Court of Chancery. And, my Lords, a very striking proof of the opinion of a section of the public which I think is well deserving of consideration has come to our knowledge within the last few days. My Lords, the Equity Bar have no personal interest in the matter. As regards any personal interest, it must be a matter of indifference to them whether the Lord Chancellor continues at the head of the Court of Chancery or not; but within the last few days two memorials on the subject have been submitted to my noble and learned Friend the Lord Chancellor, and I think more remarkable documents have seldom come under public notice. One of them, I am told, is signed by every Queen's Counsel practising in the various Equity Courts, with the exception of the Solicitor General. Those learned gentlemen may therefore be said to be unanimous. What they say is this—

> "From the terms of the Bill and from the views expressed in your Lordship's published speeches, we believe that your Lordship will agree that the only fusion of Law and Equity which can be advantageous to the public, must be a union by which, wherever the decisions of the Courts of Law and Equity would at present conflict, the doctrines of Equity should be adopted, instead of those of the Common Law. In the Bill before Parliament the paramount authority of the Courts of Chancery, by which this result is now obtained is abolished. For the Courts of Chancery there is substituted a Division consisting of five Judges. From this Division the Lord Chancellor will be entirely separated."

They go on to comment on what they say will be the effect of that arrangement. This is not all. There is another memorial from the Junior Bar. I have not counted the signatures, but I am told it is signed by 360 members, and is the positively unanimous representation of the Junior Bar. I see the names of those who, though they have not received the rank of Queen's Counsel, are gentlemen of the greatest weight in the profession, and whose opinions are entitled to consideration and respect. They say that—

> "the Bill, if passed as it now stands, will endanger the very existence of Equity Jurisprudence. . . Equity Jurisprudence has been maintained up to the present time solely by the paramount authority of the Court of Chancery, the life and essence of which have been derived from its association with the Lord Chancellor. The Bill proposes to sever this association and destroy this authority. It does not, as it seems to us, substitute any means of preserving intact the spirit of the jurisprudence created by the long line of your Lordship's illustrious predecessors."

My Lords, I repeat that so far as authority goes we have strong authority for the Amendment which I have suggested; and I am not aware of any authority on the other side. I hope, therefore, my noble and learned Friend will really consider this matter. He and I have but one desire—to make the Bill as perfect as we can. I should be sorry that his incumbency in the Court of Chancery should be signalized by a determination of that existence which is hardly yet established. I hope he will continue there long as the head of that Court, and the Amendment which I ask your Lordships to adopt will tend to secure that object.

Amendment *moved*, Clause 5, page 2, line 12, after ("be") to insert ("the Lord Chancellor.")—(*The Lord Cairns.*)

THE LORD CHANCELLOR: My Lords, I should have been glad to wait to hear the opinions of other noble Lords before addressing you on the subject of this Amendment. I am very glad, in the outset, to take this opportunity—as I am glad to take every opportunity to acknowledge, not only the fairness and candour with which my noble and learned Friend (Lord Cairns) has stated the reasons for the Amendment which he proposes, but also the valuable assistance which I have received from him in connection with this subject, both in the House and out of it. My noble and learned Friend has stated that he and I have the same object in view—to give effect to the measure in a manner which may be most useful and advantageous to the public. My Lords, I entirely lay aside every other consideration whatever. If, indeed, the question which my noble and learned Friend has raised were to rest on authority, and if it were true that my own authority is the only one that could be offered against it, I should certainly be quite unable to stand up before your Lordships and argue for my own proposal. The very last argument I should wish to weigh with your Lordships at all is the argument from my own personal authority. Whatever may be said against these proposals, they have been made only because I thought them capable of being supported by good and sound reasons. These reasons it is my duty to state to your Lordships, and if your Lordships should not adopt them I would myself be the first to ask you to set aside the authority on which they were proposed. My noble and learned Friend spoke of the effect of the proposals in the Bill in three points of view—first, with respect to the general jurisprudence of the country, and the position of Equity in that jurisprudence; secondly, with respect to the position of the Lord Chancellor; and thirdly—though he did not deal with that in detail—with respect to the position of the Master of the Rolls. The first, and obviously the most important of all these considerations, is that which is connected with the general jurisprudence of the country and the place of Equity in that jurisprudence. My noble and learned Friend adverted towards the close of his speech to some documents, justly characterized by him as remarkable, emanating, the one not absolutely from all with the single exception he mentioned, but from very nearly all the leading practitioners at the Chancery Bar who had attained the rank of Queen's Counsel; the other from certainly a very large number of the junior members of that Bar. Both documents contain names of the greatest weight, and both suggest the alarm entertained by the gentlemen who signed them lest the Bill in its present shape should endanger the very existence of Equitable Jurisprudence. In dealing with such a representation I feel embarrassed, not so much by the reasons given for that opinion, as by the respect I entertain for the gentlemen who have signed the documents. I really cannot criticize the representations contained in these two papers lest I should, even for a moment, seem to say anything inconsistent with the respect I entertain for all, and the great personal regard I entertain for many of those who signed them; but as my noble and learned Friend can hardly be said to adopt a tone or to recommend a course which would imply concurrence on his part in these very serious alarms, I may be excused for saying a very few words before I entirely pass from this topic. These gentlemen would seem to imply, that unless you very largely multiply the number of Equity Judges both in the Court of First Instance and in the Court of Appeal, the ruin of Equity Jurisprudence must follow from any attempt to do what the Judicature Commission has recommended, and what is of the very essence of the present measure—namely, to give to all the Judges full and equal jurisdiction, in equity, as well as in law. Now, I must say frankly, that, although if a necessity were shown for an increased number of Judges, every Government ought to provide for the due administration of justice, yet, subject to that, I say that the multiplication of Judges beyond the necessity of the case is in itself an evil, not only on account of the expense unnecessarily thrown on the public, but also because the more persons you employ to do the work, if they are beyond the number really required, the greater risk there is of its being done less energetically, and less effectively than it would otherwise be done, and, at the same time, the greater the risk from the inevitable infirmities of mankind of multiplying the diversity of opinion in judgment, instead of tending to the greater perfection or improvement of the law. Therefore, without denying that when a case is proved for additional Judges that addition ought to be made, I do feel bound to require full and satisfactory proof that it is necessary before assenting to it. My Lords, in my opinion, Equitable Jurisprudence is a much more robust, and a much less mysterious thing, than my friends who are the authors of these remonstrances would seem to think. This great divergence between Equity and Law which has given occasion to so much panic lest Equity Jurisprudence should disappear from among us is a thing of comparatively very modern growth. Those great masters of Jurisprudence who founded our system of Equity were nurtured in the Common Law; and down to very recent times such Judges as Hardwicke, Eldon, and Kenyon were deemed to be equally well qualified to preside in the highest Courts of Equity and of Law. Lord Eldon himself—one of the greatest masters of Equity Jurisdiction that ever lived—did not think he was endangering the purity of Equity administration by recommending the appointment of two successive Judges who never practised at the Equity Bar—Lord Gifford and Lord Lyndhurst—to the office of the Master of the Rolls, where each had to dispose, sitting alone, of Equitable cases. Is that capable of any other explanation than this—that Lord Eldon believed that the principles of Equity were laid upon a sufficiently solid foundation, and sufficiently capable of clear elucidation by argument and authority, to justify the opinion, that where you had a Common Law Judge of capacity and acuteness of mind, though sitting alone in the Court of Chancery, he could be trusted to make himself well enough acquainted with the principles of Equity to administer them effectively—particularly when subject to the correction of a Court of Appeal? It will also be in the recollection of your Lordships that within my own professional time, and I believe within that of my noble and learned Friend, an Equity Jurisdiction was administered by the Court of Exchequer, and that in that Court Judges who had never practised in the Court of Equity sat as Judges of First Instance alone, and by themselves administered Equity. I myself argued many a case before the first Lord Abinger, and before Baron Alderson, each sitting alone in Equity. I hope your Lordships do not think that I want to exaggerate the argument by denying that there would be any disadvantage in appointing men skilled in Common Law, especially if they were to sit alone, to administer Equity; but I think what I have said will show that Equity Jurisprudence is not of so slight and evanescent a character as to be likely to be greatly endangered by intrusting men capable of discharging the highest functions of Common Law with a share in the administration of Equity. Let it always be remembered that there are abundant authorities and sources of information for the guidance of the Judges, and that those gentlemen of the Equity Bar who share in the alarms to which my noble and learned Friend has called attention would themselves be resorted to, and would assist the Judges; and not only would the great mass of equitable cases still, either by direct appropriation or by the choice of the plaintiffs, find their way naturally and gravitate into the old channels, but also if there is any case taken to what now are the Courts of Common Law which ought to be dealt with in the Chancery Division ample power of transfer is given. And here I feel bound to speak out according to my own convictions, and to say that in my judgment Equitable Jurisprudence has deteriorated rather than improved—has lost something of its breadth and accuracy—since those changes which have led to the more marked and decided separation of the two branches of Jurisprudence. I think that Equitable Jurisprudence, either in breadth or accuracy, does not stand in so high a position as it was left in by Lord Eldon, or as it was when he took those two gentlemen from the Common Law Bar and made them Judges in Equity. As to the numerical argument of my noble and learned Friend, it does, no doubt, at first sight, seem strong. In dealing with it, I will assume that there are four Judges of First Instance in the Chancery Division, though my noble and learned Friend only estimated them as three. It was not my intention, nor can I admit that it would be the effect of my proposal, that there should be only three; but at all events, I agree with my noble and learned Friend that four Judges there ought to be. My noble and learned Friend says that there are 18 Common Law Judges to be set against them; but I would rather say—since three are transferred to the Court of Appeal—that there are 15 Common Law Judges to be set against four Judges in Equity. At first sight, this seems to be a considerable disparity—more especially as I am bound to admit the correctness of the description which my noble and learned Friend gave of the business of both branches of Jurisprudence. In point of fact, the business of the Court of Chancery is greater, or certainly not less than the aggregate business of the Courts of Common Law. But your Lordships must remember in making a comparison between the two branches that the Judges of the Court of Chancery represent four Courts, whereas the 15 Judges in the Courts of Common Law represent three; and although it is perfectly true that there is some business which may be done by a single Judge, or by two Judges, yet practically the business not despatched on Circuit is done by three Courts, and not by as many Courts as would be constituted if all the Common Law Judges sat alone. The fact is that all questions of law, or nearly all, which have any nicety are reserved from the jury trials and come before the three Courts sitting *in banco*. Taking these things into account, it will be seen that there is really not much weight in the numerical argument of my noble and learned Friend. I come now to deal with the question of the Court of the Master of the Rolls; because I quite agree with my noble and learned Friend that there ought to be four effective Courts of First Instance in the Court of Chancery. But here I confess my views are not similar to those of my noble and learned Friend. I think that under the Bill as proposed by the Government the Master of the Rolls would be as effective a Judge of First Instance as he is at present. It is quite true that he, like the two Lords Chief Justices and the Lord Chief Baron, would be also a member of the Court of Appeal; but it would not be in contemplation that he should be constantly withdrawn from the Rolls' Court to sit in the Court of Appeal, but only that he should come there when it should appear, under particular circumstances, to be practicable and desirable. I believed, and still believe, judging from experience, that the duties he would have to perform in the Court of Appeal might be found consistent with the effective discharge of the duties of his own Court. It is always to be recollected that the Court of Appeal will consist of a very considerable number of Judges. Some, and I hope not a few, of the most eminent lawyers who have filled the highest positions, either in the Court of Chancery or elsewhere, will act as additional members of the Court of Appeal and give their assistance upon any important questions, when the Court stands in need of their attendance. If that be so, I think, Equity will be powerfully represented in the Court of Appeal, and that though the occasional presence of the Master of the Rolls and the Chief Justices may be desirable, it will not ordinarily be necessary. My noble and learned Friend will propose in a later Amendment, that Her Majesty be enabled to appoint an additional Judge to the Chancery Division of the High Court. I have already given reasons which oblige me to refrain from assenting to that proposition. It will not be necessary for me to enlarge upon this point, because my noble and learned Friend's scheme stands together as a whole. But since my noble and learned Friend has very properly referred to what has lately been stated about the condition of business in the Court of Chancery as re-inforcing some of his arguments, perhaps your Lordships would wish that I should state exactly according to the information I have been able to obtain how the matter really stands. I do not admit that it is quite so bad as it has been represented to be. I am quite sure that the zealous solicitor whose letter in one of the public journals—*The Times*—my noble and learned Friend quoted, to the effect that the delay in the transaction of business had never been greater for the last 40 years, was not accurately informed as to the whole of the facts, whether or not he may have been a sufferer in some particular case. But these are the real facts:—In the first place, the numbers were correctly given by my noble and learned Friend of the causes set down for hearing at the beginning of the present Term. There were 69 in the Court of the Master of the Rolls, of which 21 have been heard and disposed of; 193 in the Court of Vice Chancellor Malins, 55 in that of Vice Chancellor Bacon, and 190 in that of Vice Chancellor Wickens. Some of these have, of course, been disposed of. The reason why there were only 69 in the Court of the Master of the Rolls is because my noble and learned Friend (Lord Romilly) disposed of them with that energy and despatch to which a just tribute has been paid by my noble and learned Friend opposite. Therefore he has left behind him nothing which can be called an arrear. I need not say that there is a power of equalizing the business; and that power has been exercised. There is at present an Order being issued to transfer some of the business from the two Courts which are too much crowded to the Court of the Master of the Rolls. An examination of the state of the first 20 cases on the lists in the several Courts will show us what is the true state of the business —because those cases at the head of the list must include the unduly delayed, if there be such. I have already said that 21 cases on the list of the Master of the Rolls have been heard since the commencement of Term; but these cases were not all taken from the top of the list, because some of the parties to those at the top of the list were not ready, and others lower down were taken out of their turn. Of those remaining not less than 11 wait for the parties, and 9 of them were set down in the present year. In Vice Chancellor Malins' Court four cases await the conscience of the parties, and of the first 20, nine were set down this year, four were set down in April, 1872, five in May, and one in June. As these stand at the head of the list, it is reasonable to assume that the rest have been set down considerably within the year. In Vice Chancellor Bacon's Court there were set down one case this year, two in May, 1872, one in July, two in August, three in November, and 11 in December, a very few months ago. In Vice Chancellor Wickens' Court three cases were set down this year, two in April last, one in July, two in August, one in October, and 11 in November, a few months ago. Considering that these are the facts, and that many of the cases are delayed by the parties, I do not think we can draw conclusions from the present state of the business in Chancery, in support of any proposals not otherwise desirable, Now I come to the remarks of my noble and learned Friend respecting the office of Lord Chancellor. We must not shut our eyes to the fact that the Court of Chancery will not continue to exist as a separate Court, though it is a name, which my noble and learned Friend wishes to be continued, as descriptive of a subdivision of the great aggregate Court to be constituted under this Bill. I quite agree that for the convenience of administration there should be a division corresponding to a great extent with the existing Court of Chancery; but the political and jurisprudential Court of Chancery hitherto known to our history will no longer exist. Bearing that in mind, what will be the position of the Lord Chancellor? He will not only be a member of the Court of Appeal under this Bill; he will be the head of the Supreme Court, comprehending the Court of Appeal and the High Court—a position not less dignified nor less important than that which he now occupies. He will retain every function that is not strictly judicial without alteration—indeed, in some respects the Bill will enhance his position, because all officers who may be officers of the entire Court will be under this Bill under the especial patronage and superintendence of the Lord Chancellor as much as the officers of the Court of Chancery are now. In comparing the relative positions of the Master of the Rolls and the Lord Chancellor under the Bill, I venture to say they will be more nearly the same as they are now than if the Amendment of my noble and learned Friend were accepted. At present the Master of the Rolls is a Judge of a Court superior in authority as well as in rank and precedence above the Vice Chancellors. No small part of the offices of the Court are subject to his special superintendence. He has the appointment to and special superintendence over the Enrolment Office, the Record Office, the Examiner's Office, and the Office of Clerk of the Petty Bag. Under this Amendment the Lord Chancellor would be at the head of a particular Division which he has never been before, wherein he will not be really a Judge of First Instance for any practical purposes, and I presume the Master of the Rolls' office will undergo some corresponding diminution. If it does not, then that Division will be constituted with respect to the position of its President in an entirely different manner from the other Divisions. Under the Bill, on the other hand, the Master of the Rolls will fill a place in the Chancery Division similar to that which the Lord Chief Justice of the Queen's Bench and the Lord Chief Justice of the Court of Common Pleas and the Lord Chief Baron occupy in regard to their Courts respectively. These eminent Judges have no authority at all over their colleagues. For all practical and useful purposes the Lord Chancellor's position under the Bill will be the same as it now is; and I think, for the purpose of preserving the symmetry of the new scheme and the harmony which should exist between different parts of the Court, the Bill as it stands will be better than if the Amendment is adopted. Upon grounds of mere personal susceptibility to the importance of patronage or precedence, I do not think that any mischief is to be apprehended either from the proposals in the Bill or from those of my noble and learned Friend: but if you adopt his Amendment, I fear you may give rise to doubts whether we are sufficiently maintaining the position of other eminent persons. Down to this time the Lord Chancellor has exercised no authority over the Judges in any of the Common Law Courts; and nothing is more important than that we should preserve the harmony which has hitherto existed, without giving rise to any judicial distrust or idea of a superiority which does not exist. I trust that result would not follow the adoption of the Amendment; but I confess that in making these arrangements under the Bill I have been influenced by the desire to do that which would be least likely to run the risk of disturbing the harmonious cooperation of all the members of the united Courts. Now, I hardly see how you can introduce the Lord Chancellor as the head of the new High Court of Justice, comprehending not only the Judges of the Court of Chancery, but all the Judges of the three Common Law Courts, without putting the Common Law Judges in a position somewhat differing from that which they now hold; and I should be grieved if, for the sake of maintaining some supposed precedence belonging to the office which I now have the honour to hold, we were to raise questions involving any diminution of the dignity or any change in the position of other great Officers of the State.

Lord ROMILLY said, he was in favour of the Amendment of his noble and learned Friend (Lord Cairns), chiefly on the ground of the influence which the Lord Chancellor should exercise with regard to the officials of the Court. As Master of the Rolls he had consulted the Lord Chancellor on more than one occasion on this subject; but if the Lord Chancellor ceased to be the head of the Court his opinion could no longer be taken; at all events it would not command the same weight. As to arrears, the truth was that if a Judge once got into such a position he found that arrears made arrears:—there was additional delay, because arrears led to unnecessary motions—suitors tried to get an opinion upon the main point at issue incidentally by means of a motion instead of waiting till the hearing of the cause. As to the Amendment, he thought the greatest advantage was derived from the moral influence of the Lord Chancellor, and he should strongly advise their Lordships to say that, whatever else the Lord Chancellor became, he should have authority over the Court of Chancery, which he could not have without being at the head of the Court. Such an alteration would not endanger the Bill; it would only give the Lord Chancellor a control which would be very beneficial.

Lord HATHERLEY said, his noble and learned Friend (Lord Cairns) had remarked upon the numerical disparity between the Common Law and Equity Judges, and said this inequality was now about to be aggravated by reducing the seven Judges of the Court of Chancery to four. But there were now really only four Equity Judges of First Instance. It was true that the Judges of the Appellate Court were capable of exercising a primary jurisdiction, and under peculiar and altogether accidental circumstances that jurisdiction had been exercised; but as a rule there were only four Equity Judges of First Instance. Then his noble and learned Friend (Lord Cairns) had called attention to the present arrears as indicating that, instead of a reduction, there should be an increase in the number of Equity Judges. Now, nothing could be more fallacious than to cite the arrears existing at any one moment as a proof of the want of more Judges. The arrears now mentioned were owing to the unfortunate illness of one Judge, and the loss of the services of another. But, during his 15 years' experience as a Primary Judge there were frequently periods when arrears seemed overwhelming, owing to the sickness of Judges, or to one or two great causes blocking the way; yet in another year these arrears would be cleared off. It happened to him twice to rise because there was nothing to do—rather an unusual incident, he admitted; and this result followed years in which there had been heavy arrears. There could not be anything worse than to have a number of Judges who were not fully occupied, and it was far better that they should occasionally have an extra amount of work put upon them than that they should be at any time for several months together in want of occupation. The present arrears in the Court of Chancery had arisen from accidental causes and could be overcome by vigorous exertion. Their Lordships would recollect that while he occupied a position on the Woolsack there came to pass a case which he would call accidental, and which occupied, he thought, 20 days, in consequence of which the arrears of cases in their Lordships' House became considerable; but he had the happiness of leaving quite as small a number of arrears as existed when he took the office of Chancellor. What was the Chancellor to do if the Amendment were carried? It was quite clear from the memorials which had been presented to the Lord Chancellor by Queen's Counsel and members of the Chancery Bar—for whom no one had greater respect than himself—that those who signed the memorials were afraid that the Court of Chancery would not be kept in a full and effective state as a Court distinct from the Common Law Courts, if this Bill were passed. He hoped the effect of the Bill would be that there should be no longer that clear and trenchant separation which at present existed between the Courts of Equity and the Courts of Common Law. That separation was the very thing that the supporters of the Bill were trying to avoid. If their Lordships were going to say that they would have the Court of Chancery just as it existed at present, they might as well throw the Bill out and have done with it. His noble and learned Friend who moved the Amendment told their Lordships in a speech which must have had very great effect on their Lordships, that it would be a long time before a Judge of a Common Law Court would be competent to undertake the duty of Master of the Rolls or to sit in the Appellate Court. He (Lord Hatherley) hoped there would be a dozen men in the Common Law Courts who would be able to deal with what was called a Chancery case in the way in which it was ordinarily dealt with by the Court of Chancery. Of the last ten Chancellors four Lord Chancellors had been appointed from the Common Law Bar, and another had practised both at the Common Law and the Chancery Bars, and only the other five—one half of the whole—were especially Equity lawyers. The real truth of the case was this—when certain technicalities were brushed away there could not be any solid distinction in the administration of justice between man and man. As to the memorials which had been addressed to the Lord Chancellor by members of the Chancery Bar on the subject of this Bill, he should have great hesitation in opposing his sentiments to theirs if he had not found that they proceeded on a totally different view of the object of the Bill from that which he entertained. It was quite clear that those who signed the memorials were apprehensive that in the administration of justice under this Bill the Common Law system would prevail; and his noble and learned Friend who moved the Amendment bore out that supposition because he said there would be a preponderance in the number of Common Law Judges over the Chancery Judges. He (Lord Hatherley) apprehended that if there was one thing more true than another it was this—that the Common Law Judges would be delighted to have it in their power to administer full justice without being hampered by those conditions which at present prevented them from doing so in many cases.

On Question? their Lordships *divided:* Contents, 67; Non-Contents, 49. Majority, 18.

Amendment *agreed to.*

CONTENTS.

Beaufort, D.
Leeds, D.
Richmond, D.
Rutland, D.
Wellington, D.

Bath, M.
Bristol, M.
Bute, M.
Exeter, M.
Salisbury, M.

Abergavenny, E.
Amherst, E.
Bathurst, E.
Belmore, E.
Brownlow, E.
Carnarvon, E.
Cawdor, E.
Dartmouth, E.
Derby, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Ellesmere, E.
Erne, E.
Feversham, E.
Gainsborough, E.

Harrowby, E.
Lanesborough, E.
Malmesbury, E.
Manvers, E.
Tankerville, E.
Vane, E. (*M. Londonderry.*)
Verulam, E.

Bangor, V.
Hardinge, V.
Hawarden, V. [*Teller.*]
Sidmouth, V.

Gloucester and Bristol, Bp.

Aveland, L.
Bagot, L.
Belper, L.
Boston, L.
Braybrooke, L.
Cairns, L.
Chelmsford, L.
Clanbrassill, L. (*E. Roden.*)
Colchester, L.
Colonsay, L.
Colville of Culross, L.
Dunsany, L.
Egerton, L.
Ellenborough, L.
Fitzwalter, L.
Foxford, L. (*E. Limerick.*)
Headley, L.
Houghton, L.
Kesteven, L.
Leconfield, L.
Northwick, L.
Oranmore and Browne, L.
Penrhyn, L.
Redesdale, L.
Romilly, L.
Saltoun, L.
Sherborne, L.
Silchester, L. (*E. Longford.*)
Skelmersdale, L. [*Teller.*]
Sondes, L.
Stanley of Alderley, L.

NOT-CONTENTS.

Selborne, L. (*L. Chancellor.*)
York, Archp.

Cleveland, D.
Saint Albans, D.

Lansdowne, M.
Ripon, M.

Camperdown, E.
Clarendon, E.
Dartrey, E.
Granville, E.
Grey, E.
Kimberley, E.
Morley, E.
Waldegrave, E.

Halifax, V.
Powerscourt, V.
Sydney, V.

Carlisle, Bp.
Chichester, Bp.
Winchester, Bp.

Auckland, L.
Blachford, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Carrington, L.
Carysfort, L. (*E. Carysfort.*)
Castletown, L.
Crewe, L.
Eliot, L.
Ettrick, L. (*L. Napier.*)
Foley, L.
Greville, L.
Gwydir, L.
Hanmer, L.
Hatherley, L.
Keane, L.
Kenmare, L. (*E. Kenmare.*)
Lawrence, L.
Lisgar, L.
Lyttelton, L.
Lyveden, L.
Meldrum, L. (*M. Huntly.*)
Methuen, L.
Monson, L.
Poltimore, L. [*Teller.*]
Ponsonby, L. (*E. Bessborough.*)
Rosebery, L. (*E. Rosebery.*)
Sundridge, L. (*D. Argyll.*)
Vernon, L.
Wrottesley, L.

Clause 6 (Constitution of Court of Appeal).

THE MARQUESS OF SALISBURY: My Lords, I have to move an Amendment in this clause, line 36, after "jurisdiction," to insert—

> "It shall be lawful for Her Majesty to direct a writ of summons to be issued to the said Judges enabling them to sit and vote as Peers of Parliament during the tenure of their office."

I am anxious to bring before your Lordships the position which the Judges of the Court of Appeal will occupy in consequence of the course which this question took in Committee last year, and of the decisions which this House has previously arrived at with regard to any modification of the conditions under which a seat in your Lordships' House is now held. It will be within the recollection of your Lordships that four years ago Earl Russell brought forward a measure on this subject, urging upon the House the adoption of the principle of life Peerages. That Motion was supported by the noble Earl opposite, the Leader of the House (Earl Granville), I had the honour of voting in favour of that Bill; but although it received the support of many of your Lordships sitting on both sides of the House, and although it passed successfully through two readings and Committee, it did not on the occasion of the third reading obtain the suffrages of your Lordships. The result has been that that decision has been looked upon as conclusive, and since that time the question of life Peerages has not been revived. The proposition which I desire to submit is not that life Peerages should be created, but that a modification of a definite character should be made in the conditions of hereditary Peerages. No doubt a strong jealousy is felt in this House lest the principle of life Peerages, however carefully guarded, should give to the Minister of the Crown for the time being the power by the creation of such dignities of affecting the decisions of your Lordships' House, and of overawing your policy; and I am conscious that many of your Lordships were influenced by that fear in the votes which they gave upon the question. But I submit that the objections against the creation of life Peerages do not apply to the creation of *ex officio* Peerages. It is possible there may be some danger that a Minister might be able to persuade the Sovereign that the evil of a creation of a large number of life Peerages to accomplish a particular political object would not extend beyond the existing generation, and that therefore no permanent ill effects would result from such an exercise of power. But there would be no object in a similar abuse of power in the case of *ex officio* Judges. It is certain that no Sovereign would ever consent, and that no Minister would ever be permitted by public opinion to attempt to create *ex officio* Peers—that is to say, Peers who would have to fill grave and important offices—for the sake of influencing a party division. One great objection, therefore, which was urged against the creation of life Peers does not apply to *ex officio* Peerages. The question is one which has been pressed upon us. We have so far passed this Bill very quietly; we are parting with the jurisdiction which we have held for many hundred years; we are forced to say whether some modification of the principle on which seats are held in this House should not be made, in order that it may keep up that connection with the last Court of Appeal which it has enjoyed for such a length of time. I have this difficulty to contend with—that there is something new in the proposal, and that the addition to the law Peers might be very considerable. Now, I do not myself feel any apprehension in consequence of such an addition. On the contrary, my opinion is that *ex officio* Peers will add to the strength of the House and to its stability, even though they should be added in very large numbers. The Crown, it should be remembered, now possesses the power to add to the number of Peers in order to swell the forces of party. That is a power which is exercised by the Crown with great freedom; and it is quite certain that if a Minister had the choice between adding Peers to the House in order to strengthen his party, or appointing *ex officio* Peers for his own political purposes, the loss of credit to him would be much greater if he were to pursue the latter course, because of the imputation that he had given away great offices in a partizan spirit, and not with the object of securing the services of the best men in the interests of the public. But then it may be asked, what is the practical advantage which is likely to flow from my proposition? My proposition is that the members of the Supreme Court of Appeal may be *ex officio* Peers; and may sit and vote in the House so long as their tenure of office lasts; and my answer to the question is that, if adopted, it will serve to connect the House of Lords with the Supreme Court of Appeal. This House might no longer be actually the Supreme Court of Appeal, but the Supreme Court of Appeal will be in it, and whatever *prestige* the House derived in the past from the fact that it was the highest Court of Appeal, it will in some degree continue to possess, if every member of the Supreme Court is by right a member of it. A far more practical and important reason, it appears to me, however, is that such a proposal as that which I am now submitting to your Lordships' notice will have a great influence on the legislation of the House. The business which comes before us, and the duties which we have to discharge, are of two kinds. Our first duty is to moderate and control the action of the other House of Parliament, and to prevent it from making great changes too rapidly, and with too little consideration. Whether this duty is now adequately performed by this House or not, it is not for me at the present moment to discuss. My opinion is that this House does defer too much to the House of Commons in hastening on changes such as those to which I am referring. That subject is not, however, relevant to this discussion. This spirit of concession on the part of the House of Lords is due, not to any special political arrangement, and cannot be altered by, or modified by, political arrangements, but to great movements of public opinion, and to the modification of social relations that are constantly taking place. It is not on that ground, therefore, that I ask you to make this change. There is another function possessed by the House of Lords, which belongs to more quiet times, which is of the highest importance, and which, I think, recommends it to the country—that is, the function of revising legislation and preventing those marks of haste and carelessness which may be impressed on it by the House of Commons from ultimately finding their way into the Statute Book. It is impossible for anybody to be content with the present state of our legislative performances. Complaints on the subject are constantly arising from all quarters—from solicitors, from the Bar, and above all, from the Bench. The strongest condemnations were recently uttered by those who have a right to utter them—the Judges who administer the laws—upon the way in which those laws are framed. This evil, which arises from the state of things in the other House, is one which is likely to increase instead of diminishing. The House of Commons is overwhelmed with Business, which grows upon it year by year. The prosperity and Business of the country show a natural tendency to grow; and beyond this, the House of Commons is becoming more and more disposed to expend its time in dealing with executive, in addition to legislative matters, and insists more and more that every executive proceeding shall be submitted to its judgment. The result is that legislation is pushed into the small hours of the night, when, as an Irish Attorney General said, a clause is not unfrequently drawn up on a Minister's hat so that there is not time to revise the language of Acts of Parliament, and that they are put upon the Statute Book in a shape which gives rise to so much complaint. I may add that distinguished lawyers find an increasing difficulty in recommending themselves to constituencies, and that the House of Commons is becoming more and more deserving of the title which was given to a Parliament of former days of *Parliamentum indoctum.* The only way to remedy that state of things is that the legal learning in this House should be such as to be capable of correcting the errors of the other. It may be said that our own energy ought to be sufficient for that purpose, without the influx of lawyers. I wish it were so, but I am afraid that the tendency in the present day is to dislike work more and more. The love of hard work for its own sake, which animated our fathers and those who went before them is in this generation very much confined to those who have been trained to hard work from their youth. What you want is a sufficient number of men who will work at legislation, and who will do it because they have been trained to work, and are fond of it. It may be said that members of the Court of Appeal would be too hard-worked to give much time to legislation in this House; but it is men who have plenty of work to do, I believe, who find the most leisure for other work. The duties of a Lord Chancellor would, one would suppose, be sufficient to tax the energies of any ordinary mortal, yet we see a Lord Chancellor, out of pure gaiety of heart, take upon himself the duties of Master of the Rolls without suffering in his health in the slightest degree. What that noble and learned Lord's zeal has done I have no doubt other learned persons who love work will perform, and if the Chiefs of the law are given seats in this House, they will, I am sure, enter upon the task of legislation with an energy which will astonish us laymen, who do not understand what work means. It is, then, because I think we want more hard workers that I make this proposal. As things at present stand, the number of legal Peers is likely to diminish rather than increase; because the emoluments derived from the practice of the law are not what they were, and men who do not happen to have a private fortune may very naturally have a disinclination to accept a Peerage. Great pressure will no longer be put on the Crown to find Peers to do the work of the Appeal Court. Perhaps it is another consideration in favour of my proposal that the lawyers whom I propose to introduce into Parliament cannot be introduced in any other way. This is the only Assembly in the world which excludes those who administer the law. The Judges are not allowed to sit in either House. By the great efforts of Lord Macaulay, the Master of the Rolls may sit in the House of Commons, but practically he never does; and in this House, so long as you maintain that bar of a hereditary Peerage, you can only have a very limited number of lawyers among its members. It is a weakness and a discredit to any Legislature when those who are best acquainted with the defects of the law, because it is their duty to administer it, are excluded from taking part in legislation. There is one part of this subject on which I need not touch. The question may be raised how far parties may be affected by the change. I cannot believe that any man or section of men in this House would, in a matter affecting the strengthening of the House of Lords, look at the question in the effect it would have of strengthening a particular section. But, as I understand, the addition proposed is so nearly balanced that it would make no difference in the state of parties in the House. Still less do I think that a Minister would be governed in his choice of a Judge of Appeal by the effect his appointment would have on the state of parties in this House. We all know such is the happy state of public opinion that no Minister, however strong, would dare to appoint to high judicial office a political partizan known not to be fit to occupy the post. I believe that so long as you rigorously adhere to the hereditary principle you will have difficulty in introducing within the walls of this House working power enough to perform the duties which the Constitution imposes on us. On the other hand, I am fully alive to all the dangers which rash and hasty measures may involve. But I believe that in *ex officio* Peerages connected with the law you will find a solution of the difficulty. Pass this Amendment, and you will introduce an element which from its nature is Conservative in the highest sense. The distinguished men I ask you to introduce are admirably fitted to assist in conducting the business of legislation; and I am sure your Lordships will agree with me that it is only by ability to do good work that this House or any other institution can stand long in this country. We must, if we mean to sustain the House of Lords in the credit it has long held and still holds before the people of this country, take the opportunity which possibly may not recur to give it that strength and shed upon it that lustre which the distinguished men to whom my Amendment refers would, above all others, be calculated to impart.

An Amendment *moved,* line 36, after ("jurisdiction") insert ("It shall be lawful for Her Majesty to direct a writ of summons to be issued to the said Judges, enabling them to sit and vote as Peers of Parliament during the tenure of their office.")—(*The Marquess of Salisbury.*)

EARL GRANVILLE: My Lords, I entirely agree in the object which the noble Marquess appears to have in view in introducing this subject to your Lordships' notice—that object being to add strength to the House of Lords. I am bound also to say, having been all along strongly in favour of life Peerages, that I think this House committed one of the gravest errors in rejecting the Bill for establishing them. In several of the arguments used by the noble Marquess I perfectly agree; but I certainly think that the subject is one which demands much more consideration than can be given to it on this occasion—more especially as several noble and learned Lords have left the House under the impression that the Amendment would not be brought forward. No one values more than myself the assistance of the most distinguished heads of the legal profession; but it must be considered that we have in this House many members of that profession already. We have already eight, and if 13 were added to that number I really do not know what the consequences might be. When I was a Member of the House of Commons there existed a very strong disinclination to listen to lawyers at all. It was said they always spoke better at the Bar. Lord Lyndhurst used to say, "The great difficulty with us lawyers is this—when we speak at the Bar we are obliged to use all our arguments, but in Parliament we ought only to use our good arguments." It happened, however, that legal habits did continue, and if you had 21 lawyers on every legal question taking part in the debate, I am quite sure the result would not be so satisfactory as the noble Marquess imagines. I cannot conceive anything more creditable to this House than the way in which this Bill has been treated. There has been an entire absence of anything like political or personal feeling. On all sides noble and learned Lords—and, indeed, all who have taken part in the discussion—have done their very best to make the most perfect Bill they could, and also to facilitate its progress. I think, however, that it is of the greatest importance not to introduce any collateral matter not absolutely necessary to this Bill, and it appears to me it would be infinitely better to make the proposal of the noble Marquess the subject of a separate Bill, to be considered on its own merits. I quite agree with the noble Marquess that, whatever the faults of a Ministry on one side or another, there is a public feeling in this country which would prevent their committing anything like a prostitution of their patronage for the purposes of party. But these are all questions which ought very carefully to be considered, and which would be much better dealt with in a separate Bill than on an Amendment of this kind.

EARL GREY: I think it would be greatly to the advantage of this House if my noble Friend's proposal were agreed to, and I am much disappointed that my noble Friend who represents the Government (Earl Granville) has not met the argument of the noble Marquess in a direct manner and on its merits. I cannot help fearing he has evaded it from some motive of convenience. There never was a proposition of great importance which had been more fairly and deliberately placed under your Lordships' notice. The accidental absence of some Members, for whatever reason, is no ground for evading the discussion. We are told we had better not adopt this Motion because the matter may be done in a more complete mode hereafter. Now, I have unfortunately sat a very great number of years in this and the other House of Parliament, and I have observed that there is no more effective way of getting rid of a measure which is acknowledged to be important as far as it goes, when there is great difficulty in finding a valid objection to it, than to suggest that it had better be made much more complete, that you should put off this useful step until you can take a much larger and more effectual one. I am sorry to say what a great many important improvements I have seen in my time quashed by that argument of postponement with a view to doing something better, the result being that nothing whatever has been done. Looking to the state of business and the manner in which Bills are now carried through both Houses, I do say that if it is desirable for the credit of Parliament, for the efficiency of legislation, and for the advantage of the public, to introduce a limited number of men of great legal ability into this House, this is the proper opportunity. Such a plan forms an appropriate part of this Bill, and if we neglect this opportunity, we may wait for many years before we have another, or before we see the intention realized of some more perfect measure being passed at last. I do hope that your Lordships will not hastily reject the Motion of the noble Marquess. For my own part, I have no hesitation in giving it my decided support.

The Marquess of SALISBURY: I do not think it of any use in the present condition of the House to divide after the adverse speech of the noble Earl opposite. From his previous leanings, I looked for a more favourable reception for the proposal at the noble Earl's hands. I am convinced that the opportunity which is now being thrown away will not recur, and I feel that evils such as both the noble Lord and I would lament will arise unless some such proposal be adopted.

Motion (by leave of the Committee) *withdrawn:* Amendments made: The Report thereof to be received *To-morrow.*

House adjourned at half past Eight o'clock, till To-morrow, half-past Ten o'clock.

* * *

HOUSE OF COMMONS,

Thursday, 1st May, 1873.

MINUTES.]—New Writ Issued—*For* Gloucester City, *v.* William Philip Price, esquire, Chiltern Hundreds.

Ways and Means—*Resolution* [April 30] *reported.*

Public Bills—*Ordered—First Reading*—Customs and Inland Revenue* [144].

Committee—Report—Fairs (*re-comm.*) * [138].

Considered as amended—Australian Colonies (Customs Duties) * [106].

Third Reading—Poor Allotments Management * [113], and *passed.*

POST OFFICE—TELEGRAMS BETWEEN FRANCE AND ENGLAND.

QUESTION.

Mr. O'REILLY asked the Postmaster General, Why it is that whilst the charge for a telegram from any place in the United Kingdom to any other is one shilling, and the charge for a telegram from any place in France to any other place in that Country is one shilling and three pence, the lowest charge for a telegram between France and England is four shillings; and, whether there is any probability of this charge being reduced?

Mr. MONSELL: Sir, the rates chargeable on inland telegrams do not necessarily bear any relation to the charges made upon telegrams addressed to places abroad. Each State or Submarine Telegraph Company over whose lines telegrams pass requires to be paid the rates fixed at the International Telegraph Conference, held at Rome in January last year. The Department has no power to alter these rates without the concurrence of the Administrations concerned. There is no immediate prospect of the rates between France and England being reduced; the lowest charge, however, for a message of 20 words is 3*s.* 4*d.*, and not 4*s.*, as stated in my hon. Friend's Question.

NAVY—RETIREMENT.—QUESTION.

MR. HANBURY TRACY asked the First Lord of the Admiralty, Whether he proposes to take any, and, if so, what steps for reducing the active lists of the Navy to the numbers settled by the Retirement Scheme of 1870; and, whether it is true that in future no Commander is to be promoted who has attained the age of forty?

MR. GOSCHEN: Nothing, Sir, is more likely to check the operation of the Order in Council of 1870 in reducing the lists by voluntary retirements than Questions or Answers in this House encouraging the expectation of changes, and unsettling the minds of officers as to the existing scheme; and I must therefore ask my hon. Friend to be content with this observation in reply to the first part of his Question. As to the second part, I may state that no absolute Rules are laid down confining promotion within definite limits of age, but that in the various considerations which have to be weighed in selection for promotion—such as the claims of the officer on the one hand, and the interest of the Naval service on the other—the question of age, involving, as it does, the future prospect of usefulness of an officer to the service, cannot be overlooked.

LANCASTER AND ULVERSTON SANDS. QUESTION.

MR. STANLEY asked the Chancellor of the Duchy of Lancaster, Whether an inquiry recently held at Grange over Sands, Lancashire, respecting "the duties and emoluments of the Guides of the Lancaster (and Ulverston) Sands," has been instituted with a view to the abolition of those offices, or to their more efficient performance?

MR. CHILDERS, in reply, said, that some weeks ago he received a representation from a magistrate residing in the neighbourhood of Grange to the effect that the Guide of the Lancaster Sand had been brought six times before the bench of magistrates on charges of drunkenness, that all his property had been sold, and that his family had quitted him. He was not aware at the time that he could have anything to do with this Guide, as the Duchy possessed no property in that part of the country; but on inquiry he found that the office, and also the office of Guide over the Ulverston Sands, were in the gift of the Duchy of Lancaster, which was responsible for the proper discharge of their duties. The Chairman of the Petty Sessions at Ulverston had at his request undertaken to make an inquiry into the matter, and he hoped soon to have the aid of that gentleman's advice.

THE ECCLESIASTICAL COMMISSIONERS. QUESTION.

MR. MONK asked the First Lord of the Treasury, Whether his attention has been drawn to a passage in the Report from Mr. W. G. Anderson, the Auditor to the Ecclesiastical Commissioners for England, dated 26th February 1873, in which he raises questions as to the authority under which certain payments charged in the accounts for salaries and allowances have been made; and, whether the Lords Commissioners of the Treasury have come to any decision upon those questions, which have been referred to them by the Auditor?

MR. GLADSTONE, in reply, said, that the Treasury were of opinion that the Auditor was correct, and that the payments had been made, of course through inadvertence, in an irregular manner, not in accordance with the intentions of the Act of Parliament. The Treasury had communicated their views on the subject to the Ecclesiastical Commissioners, but had not yet received any reply.

THE TICHBORNE CASE—THE QUEEN *v.* CASTRO.—QUESTION.

MR. WHALLEY asked the Secretary of State for the Home Department, with reference to the Tichborne Case, Whether he is prepared to afford the Defendant such aid in bringing up witnesses in his defence as he would have been legally entitled to receive if he had been committed for trial after an examination before a magistrate instead of by the summary jurisdiction of the Lord Chief Justice of the Common Pleas; and, if not now prepared to do so, whether, having regard to the fact that Petitions praying that such aid may be afforded, signed by about 100,000 persons, have been already presented to and read at the Table of this House, he will be good enough to point out what further evidence, if any, will be sufficient to satisfy him that unless such aid is afforded, there may be, in the opinion of a large portion of the public, a failure of justice in the pending trial?

Mr. BRUCE, in reply, said, that under the Act passed by the Recorder of London (Mr. Russell Gurney) persons charged with an indictable offence have the power of calling upon the committing magistrate to receive the evidence of witnesses called on their behalf, and the magistrate was required to bind over under recognizances to appear at the trial such witnesses as in his opinion give evidence in any way material to the case. When the trial took place the Court had power under the 5th section of the Act to order the costs of such witnesses as it thought proper to be paid; so that it was undoubtedly the fact that, if the defendant in this case had been committed in the ordinary way by a magistrate, the witnesses so bound over to appear, but not other witnesses, might, at the discretion of the Court, have been paid their expenses. But such a case as that now under consideration had not been provided for by the Recorder's Act. It arose under the Act 14 & 15 *Vict.* which enabled a Judge who thought that a witness in a case tried before him had committed wilful and corrupt perjury to order him to be prosecuted, and to grant a certificate, on the production of which the costs for the prosecution might be paid; but the Act made no provision for the costs of the defence. This was the legal aspect of the case. As to the equity of it, the hon. Member's Question having only been printed in the Paper that morning, he had had no opportunity of consulting the Treasury with proper deliberation in regard to it, and he would therefore ask the hon. Member to postpone his Question until Monday.

METROPOLIS—CENTRAL LONDON SICK ASYLUM.—QUESTION.

Mr. GATHORNE HARDY asked the Secretary to the Local Government Board, Whether the Guardians of the Strand or Westminster Union decline to send their sick to the Central London Sick Asylum; and, if so, on what grounds; and, whether the Local Government Board is satisfied with the accommodation made by them for their sick poor; and, if not, whether they have sufficient powers to compel them to use the asylum specially adapted for the sick?

Mr. HIBBERT, in reply, said, that the Guardians of the Strand Union had persistently declined to send their sick to the Central London Sick Asylum, on the ground that they had accommodation for all classes of the poor in their own workhouse. The Guardians of the Westminster Union had formerly sent their poor, but not since last June, and the reason they assigned was that they had provided proper infirmary accommodation in their own workhouse. The Local Government Board were not satisfied with the accommodation provided. They had no power directly to compel the Guardians to send their sick poor to the Asylum; but if the Guardians did not avail themselves of the accommodation provided at the Central London Sick Asylum, they would have to contribute towards the expense of the establishment without deriving any benefit from it, to the serious loss of the ratepayers of the Union. The matter had been under the consideration of the Local Government Board for several months, and they expected in the course of a few days to take such steps as would be the means of transfering the sick poor from the Union to the Asylum.

ARMY—ROYAL MILITARY ACADEMY, WOOLWICH.—QUESTION.

Mr. BRUEN asked the Secretary of State for War, Whether it is intended, when re-building the portion of the Royal Military Academy at Woolwich recently destroyed by fire, to take that opportunity of so enlarging the buildings of the Academy as to give separate accommodation to each Cadet, in compliance with the recommendation of the Royal Commissioners on Military Education in 1869, and repeated by the Board of Visitors appointed to inspect the Academy in 1872?

Mr. CARDWELL: Sir, the portion of the building destroyed by the recent fire consisted of the library and class-rooms. The rooms occupied by the cadets were not injured, and in restoring the damage occasioned by the fire it would not be an economical or desirable arrangement to devote the new building to any other purposes than those to which the former building was applied.

THE JUDICIAL BENCH (IRELAND)—LIBELS UPON MR. JUSTICE LAWSON.

QUESTION.

VISCOUNT **CRICHTON** asked the Chief Secretary for Ireland, Whether his attention has been called to the "Ulster Examiner and Northern Star" newspaper, published in Belfast on the 24th of April last, containing attacks upon Mr. Justice Lawson, one of Her Majesty's Judges of Assize on the North East Circuit, in respect to his conduct in the performance of his judicial functions; and what steps Her Majesty's Government propose to take in consequence of those attacks?

THE MARQUESS OF **HARTINGTON**, in reply, said, that his attention had been called to the article in question, and that he need hardly say it was most objectionable and highly reprehensible. There was, however, a great difference between holding this opinion and giving instructions that criminal proceedings should be taken. On the 24th of April the newspaper in question was submitted to the Attorney General for Ireland, and, while he agreed that the attack was very objectionable, he did not advise Her Majesty's Government to institute a criminal prosecution against that paper.

MERCHANT SHIPPING ACT—THE "PARGA."—QUESTION.

MR. T. E. **SMITH** asked the President of the Board of Trade, Whether any decision has been come to as to the seaworthiness of the "Parga;" and, if so, by whom the expenses incurred will have to be paid?

MR. **CHICHESTER FORTESCUE**, in reply, said, in this case, the hon. Member for Derby (Mr. Plimsoll) having represented to the Board of Trade that the *Parga* was unseaworthy, the Board of Trade directed her to be surveyed. This was done, under the Act of 1871, by the Chief Emigration Officer of the port of London and three other surveyors. They stated that they could not survey her thoroughly on account of her cargo; but from the defects apparent in the parts which were visible, they could not pronounce her to be seaworthy. Upon that Report the Board of Trade thought it their duty to stop the ship from proceeding to sea until her seaworthiness should be ascertained or her unseaworthiness secured. Against that decision the owners appealed to the Local Court having Admiralty jurisdiction, and that Court, having considered the matter, ordered a fresh survey, and the fresh surveyors said that they also could not speak with certainty without the cargo being removed. The cargo was then removed, whether in whole or in part he was not quite sure, but sufficiently to enable a complete survey to be held. On the 28th of last month the case came on for final hearing. The Board of Trade had not received an official Copy of the judgment, but it appeared from the reports in the newspapers that—

> "The hull and equipments were not in such a state that the vessel could not proceed to sea without danger to human life"—

those being the words of the Act. The Judge stated that all the expenses and costs would have to be paid by the Board of Trade. However that might be, the amount would be the subject of a second hearing on the Report of the Registrar of the Court being received.

SHROPSHIRE MAGISTRATES—CASE OF GEORGE WHITEFOOT.—QUESTION.

MR. P. A. **TAYLOR** asked the Secretary of State for the Home Department, Whether his attention has been called to a statement in the papers respecting the case of George Whitefoot, who was fined by the magistrates at Shiffnal in Shropshire 30*s.* and costs for being drunk; and who, being observed to laugh as he left the Court, was called back and sentenced to be sent to prison for one month, without the option of paying a fine; whether he does not think such sentence excessive, if not illegal; and, whether he has taken any steps in the matter?

MR. **BRUCE**: My attention has been called to the case, and I have received from the clerk of the magistrates a statement in regard to it in which he entirely denies the accuracy of the newspaper reports, upon which I presume my hon. Friend's Question has been based. I am informed that the real account of the matter is this. This man had frequently been brought up and fined for being drunk and disorderly. On the occasion referred to, he behaved with levity; but so far as I gather from the statement of the clerk, there were not two proceedings, and only one sentence was given, and that was the sentence of one month's imprisonment without the option of a fine. That is a sentence which the magistrates are entitled to inflict under the law; and it was inflicted in this instance in consequence of the repeated misconduct under similar circumstances of the defendant, and the fact that it was within the knowledge of the magistrates that the previous fines were paid by his widowed mother, which made him indifferent to the imposition of pecuniary penalties, as his conduct at the trial also appeared to them to show.

POLICE—CONSTABULARY OF RADNOR.

QUESTION.

Sir JOSEPH BAILEY asked the Secretary of State for the Home Department, Whether he has sanctioned the arrangement by which the offices of Chief Constable and Superintendent of Police have been united in the county of Radnor; and if the course adopted is approved by the late Chief Constable of that county?

Mr. BRUCE, in reply, said, that there were 16 constables in the county of Radnor, and he had granted an application for uniting the offices of Chief Constable and Superintendent of Police. The step seemed to him to be reasonable, and he had not thought it necessary to ask the opinion of the former Chief Constable.

ARMY—MEDICAL DEPARTMENT.

QUESTION.

Major ARBUTHNOT asked the Secretary of State for War, Whether, considering the dissatisfaction expressed through the medium of the medical, military, and other organs of the press, and in other ways, by Officers of all grades in the Army Medical Department, with the terms and probable operation of the Medical Warrant recently issued, he will take into consideration the advisability of recommending changes and modifications in that Warrant, such as may appear calculated to render it more acceptable to the Medical Service?

Mr. CARDWELL: Sir, an unavoidable delay has occurred in gazetting the promotions consequent upon the recent Warrant — which, however, appeared yesterday—and also in making the appointments to the new Brigade Depôts. Now that the promotions have appeared, I expect that, as soon as the appointments to the Brigade Depôts shall have been made, the misunderstandings which have undoubtedly prevailed will be removed or greatly modified. If it shall appear upon a proper representation that any grievance remains, it will be duly taken into consideration with a view to explanation, or, if necessary, to alteration.

WAYS AND MEANS—DIRECT AND INDIRECT TAXATION.

SECOND NIGHT.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [28th April], "That the said Resolutions [reported 28th April] be now read a second time;" and which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "before deciding on the further reduction of indirect taxation, it is desirable that the House should be put in possession of the views of the Government with reference to the maintenance and the adjustment of direct taxation, both imperial and local,"—(*Mr. William Henry Smith*,)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. STEPHEN CAVE said, that the Chancellor of the Exchequer, in his reply to the hon. Member for Westminster (Mr. W. H. Smith), indulged in expressions for which nothing in his hon. Friend's moderate speech could account, except on the principle—if he might borrow an illustration once used in that House, possibly by the right hon. Gentleman himself—of the effect of a contact between carbonate of soda and tartaric acid. The right hon. Gentleman charged his hon. Friend, and hon. Gentlemen on that side of the House generally, with bringing forward this Motion solely with the view of creating embarrassment, and threw in their teeth that they would not accept the responsibility of success and turn out the Government. But that was tantamount to saying that, unless the Opposition had a permanent majority—in which case it would scarcely be an Opposition—it was to abandon the principal duty of an Opposition—the criticism of Government measures. The right hon. Gentleman might have known—did, in fact, know—that there were many Members of that House—aye, even on the front benches, though their Friends behind them did not always believe it—to whom anything they could have or hope for from mere party warfare was, even from a selfish point of view, of little moment compared with the well-being and tranquility of the country. He (Mr. Cave), was quite aware that this Motion ought to have been made earlier; that delay was most injurious to trade; that the important sugar interest was so much hampered during the interval between one rate of duties and another that many connected with it would prefer giving up even that interval which was conceded as a boon. But who was responsible for this delay? The Chancellor of the Exchequer took credit for self-denial in exposing himself to the criticisms of the Recess; but the time chosen for his statement was unfortunate for others besides himself. Still, though the Recess —even the eve of the Recess—was hardly the time for Parliamentary action, there were not wanting, as well in the desultory conversation which followed the Financial Statement as in the tone of the Press during the Recess, signs that some action of this kind was expected and would be taken. What was the position of affairs? The House decided last year by a large majority that no legislation would be satisfactory which did not provide for the relief of owners and occupiers from certain charges; yet when they complained that the right hon. Gentleman treated this vote with studied contempt, as if he were rather pleased than otherwise to pay off the House for defeating the Government, the right hon. Gentleman turned round with an air of injured innocence and declaring that the Legislation which did not provide relief from local taxation was satisfactory; bade the House give up its Resolution. Bills were to be brought in by the President of the Local Government Board. He had the greatest respect for the talents of that right hon. Gentleman, but *ex nihilo nihil fit*, and if the Government divested itself of an important portion of the taxes paid by the non-ratepayer it *pro tanto* diminished its power of transferring other taxes to the local Exchequers; and not all the talents of the right hon. Gentleman could convert mere adjustment into substantial relief. If a debtor spent all his money before calling a meeting of his creditors he might present a symmetrical balance sheet; but the result would scarcely be satisfactory to any one but the accountant. Relief was the word in the Resolution passed last year; and, to borrow the expression of the right hon. Gentleman, the House would be either saints or idiots if, in lieu of the gold of the Chancellor of the Exchequer, they were quietly to accept the inconvertible paper of the President of the Local Government Board. It seemed to him that the mode of dealing with local taxation ought, after the vote of last year, to have formed part of the Financial Statement. It stood first on the list for consideration. Not, however, that there might not be good reasons for deferring the actual relief. He ventured to think that if the right hon. Gentleman had said that the first thing to be got rid of and consigned to well-merited oblivion was that disgraceful penalty inflicted under an *ex post facto* law which few people could think of with common patience, and that a measure would be brought in during the Session to carry out the Resolution of the House by means which would be available next year, neither the agricultural nor any other interest would have objected. They would have yielded to an unhappy necessity. But what was done? Why, the Chancellor of the Exchequer acted as if no such Resolution had been passed at all, and cast about upon whom to bestow his favours and how to spend the money which was burning a hole in his pocket, as if relief of local taxation had never been heard of. He could not help thinking that by pursuing this course the right hon. Gentleman threw away a great opportunity and made a great mistake when he departed, for some reason or other, which certainly was not explained in his speech, from the principles laid down by him in 1870 —principles which commanded the general assent of the thinking portion of the community; and yet the state of affairs, as disclosed in the Budget speech, might have convinced the Chancellor of the Exchequer that some course was expedient other than the reduction of indirect taxation. He knew that some would say, "other than the reduction of taxation, direct or indirect," and he should be prepared to go as far as that himself; but it must be remembered that the income tax had always been considered a temporary tax—something beyond the permanent revenue of the country, and one that could be moved up and down as occasion required, just as the right hon. Gentleman put on 2*d.* at a moment's notice in 1871, on the withdrawal of the match tax. Indirect taxation, on the other hand, was much more difficult of manipulation. Changes in it carried results far beyond the mere money payments involved; and when, as in the case of sugar, the proposed reduction could only be regarded as a prelude to total abolition, the case became very serious indeed. Now, was there any necessity for making this breach in so important a component part of the revenue? If, indeed, the speech of the Chancellor of the Exchequer had revealed, in the strong language at his command, a state of distress caused to a frugal and industrious population by the high rate of duty on an important item of the necessaries of life, he should be ashamed to ask for relief at their expense, and the general opinion would have been—"If pinching there is to be, let us all bear it together." But what was evident from the Chancellor of the Exchequer's statement? Why, that the duty-paying necessaries of life were cheap enough, and that the income of the wage-earning classes, worked they never so irregularly or indifferently, was enough, speaking in general terms, with their present habits and wants, to give them a superfluity. He agreed with the hon. Member for Carlisle (Sir Wilfrid Lawson) that the way in which this superfluity had been expended revealed a state of things melancholy and dangerous; and though he did not concur in his proposed remedy, he could not but think that it was hardly a time to reduce the price of one of the cheapest articles of consumption in order to increase the superfluous income so spent, and to rely practically upon a larger revenue from spirits to recoup the loss on sugar; nor would he support this Motion if any question of policy were involved such as induced the House to acquiesce in details of which it did not approve for the purpose of carrying into effect the French Treaty. But no such motive would operate now; on the contrary, the House was asked to meddle with the sugar duties at a time when the state of our negotiations with Continental nations would have pointed to the expediency of leaving them alone. He was astonished at the remarks of the Chancellor of the Exchequer on this subject. When he talked of the great increase in the consumption of refined sugar since 1870, he must have forgotten that the real reason was the bounty on export both in Holland and France, especially the latter, which the Convention had failed to prevent, the drawback system being so worked that the price of duty-paid French sugar in London had been lower than the bonded price in Paris from causes which would have operated whether the duty here were doubled or abolished altogether. And when the Chancellor of the Exchequer informed the House that his object in reducing the duties was to sweep away the scale and establish refining in bond, he must have forgotten that he was debarred by the Convention from doing anything of the kind, and that for two years he would be compelled to maintain the costly and troublesome machinery for carrying out the system of classified duties which was right and proper and necessary when the duties were high, but which would now be resented by those who, under totally different circumstances, supported it. He had even heard it said by those engaged in the trade that the reduction of the malt duty, and consequent admission of sugar into breweries without the interference of the Excise, would have been a better way of dealing with this subject. He need say very little upon the general subject of direct and indirect taxation after the masterly speeches of the hon. Members for North Devon (Sir Stafford Northcote) and Finsbury (Mr. W. M. Torrens); but was it wise to attempt to draw a hard-and-fast-line between direct and indirect taxation, and to say that one class paid one kind and another class the other? Was it not better, as well as more accurate, to say that there was between all classes a mutual dependence—a *solidarité*, to use a naturalized word—which made these distinctions, as far as the incidence was concerned, more nominal than real? Had not remissions of certain assessed taxes, for instance, been advocated and effected from time to time in the interest, not of the employers but of the employed? However this might be, it was impossible that hon. Members should go on talking about the adjustment of direct and indirect taxation without bringing local rates, which are a form of direct taxation, into the question. In former days, when America and her institutions were more in favour with hon. Gentlemen opposite than now, we heard a great deal of the light taxation of that country; but those who went there soon discovered that, though taxation levied by the central authority was light, local taxes were heavy enough, and though many kinds of charges which were made locally there would come into the general estimates here, yet still there were many charges upon the rates here which we considered were for the general benefit, and ought to be transferred to the account of the general expenditure of the country. These he need not specify; but he mentioned them to show that these local rates, which were, as he had said, direct taxes, and were in great measure for the benefit of those who did not pay them, must be taken into account when we were striking the balance between direct and indirect taxation. It was said the other night that police expenses and those connected with the administration of justice were for the benefit of the holders of property, and that therefore property alone should pay. He granted that they were for the benefit of all descriptions of property, and that therefore the profit on the goods of the occupier of a warehouse ought to pay as well as the rent of the owner, and so with regard to all, or nearly all, other local rates which now fell, most unjustly, on the rental alone; but what he meant was that the wage-earning class, who escaped to a great extent rates as well as other direct taxes, were benefited by the maintenance of the peace and protection from violence, as they were by the lighting and paving in towns and roads and drains in the country. And when, by-the-by, they heard the rates in town and country contrasted they should remember that those in the towns were for value received, and that the direction of recent legislation towards extending to the country districts appliances now generally confined to the urban districts was likely to bring about a much closer approximation in the charges. He probably went farther than many hon. Gentlemen on his own side of the House in wishing sanitary legislation carried out; but still he could not help thinking that we were in danger of having extravagant outlay for experiments of doubtful utility forced upon us at the behest of the central authority, and under the direction of local authorities who were led into profusion by the ease with which they could obtain the command of money. The extravagance produced by rates in aid had been adduced as a reason why local rates should not be assisted out of the Consolidated Fund; and no doubt the recent case of St. George's, Hanover Square, and Westminster, and the circumstance that rates in Bethnal Green and other east-end parishes had not been reduced in proportion to the assistance received from the west-end of London deserved to be noted. But, then, the central authority insisted on increased expenditure, and the local authorities were just as lavish of their own rates, especially when they had powers of borrowing. They had heard of zealous Inspectors talking of main drains and connecting sewers in hamlets of a couple of dozen cottages; and they had historic mansions pulled down, at a cost of £500,000, to round off corners which offended the correct eye of sensitive architects. It was hard enough for the poor curate or the parish doctor to pay increased rates for the education of the children of colliers, who could, according to *The Manchester Guardian*, earn £6 a-week free of income tax, but whose abstinence from work doubled the price of one of the prime necessaries of life, and this was aggravated by the costly appliances insisted upon by the central authority —boarded floors for children who lived on brick and stone, and more cubic feet of air than they used to have in his time at Harrow; and now they were compelled to provide music masters for ploughboys, and were threatened by the Vice President of the Council with further advances in the same direction. The country was becoming very impatient under these burdens. That was not the time to go fully into these matters, nor to discuss the mode in which the complaints were to be met—whether by the transfer of house tax or assessed taxes, by the local taxation of personalty, or by aid from the Consolidated Fund. These questions must, however, be discussed. They were very urgent, and what the country wanted was that time should be given before it was too late for their profitable discussion, and, in the words of the Resolution, that they should know, before it might be useless to know, the views of the Government on these questions. Do not let them be told of future surpluses. The sugar duties were evidently doomed, and then, on the Chancellor of the Exchequer's own showing, the income tax must go too. If, by the efforts of Protestant and Catholic Bishops and Archbishops, and the more powerful influence of electoral agency, especially when women's disabilities were removed, the Bill of the hon. Member for Carlisle (Sir Wilfrid Lawson) became the law of the land, the revenue from the Excise would be lost too. He, for one, could not think the future well-being of the country so assured that to-morrow would be as to-day, and even more abundant. It was impossible but that the prosperity of the country, which depended so much on cheap coal and iron, must be affected by the enormous increase in the price of both, and that capital would betake itself to the continent of Europe or America, where favourable geological formations were being developed, and labour seemed less disposed to wage a suicidal warfare with it.

> "Till more unsteady than the southern gale
> Commerce on other shores displays her sail,
> And late the nation finds with fruitless skill
> Her former strength was but plethoric ill."

The period of prosperity Budgets would then be gone by; and it was because he desired to see some just and lasting arrangement made while they had yet the power to make it, that he should support the Motion of his hon. Friend the Member for Westminster.

Mr. BAXTER said, he had listened with the greatest attention to this somewhat remarkable debate, and he must confess that the perplexity he felt on hearing the Amendment which was moved by the hon. Member for Westminster (Mr. W. H. Smith) had not been at all removed by the explanation of its intention and policy which had been given by hon. and right hon. Gentlemen who had spoken from the other side of the House, or by the turn the debate had taken. Certainly, the difficulty had not been removed by the speech they had just heard delivered. It was generally believed—at all events, on that side of the House—that the hon. Member for Westminster had been inspired by the front Opposition bench, and that the Amendment which was being discussed was a carefully-devised project of their ingenuity and skill. However that might be, it was very certain that, though they might have taken counsel with regard to the Motion, they had not taken counsel with regard to the arguments with which the Motion should be supported, or with regard to the financial position of the country, or the financial plan of the Government. For what had occurred? The first speaker on the front Opposition bench (Sir Stafford Northcote) stated that the hon. Gentleman the Member for Westminster had so many things on his mind that he had not had time to master the financial proposals of the Government; and therefore had fallen into a serious error. That was a very fair and candid admission on the part of the right hon. Gentleman; but his candour did not stop there, for he went on to say that, in his mind, there was nothing in the state of the country which made it very doubtful that the Chancellor of the Exchequer would be able to pay not only the half, but the whole of the Alabama Indemnity within the present year. [Sir Stafford Northcote: Out of balances?] No doubt out of balances; but the announcement that the state of the balances would be such as to enable the Government to pay the second moiety or Indemnity within the present year horrified the hon. Member for North Hants (Mr. Sclater-Booth) sitting beside the right hon. Gentleman, who altogether repudiated the statement of his right hon. Friend. The hon. Gentleman had carefully prepared a speech to an exactly opposite effect, and it became a subject of general remark in the House and in the lobbies that every speech from the opposite side only added to the bewilderment which prevailed as to what the financial policy of the party opposite really was. Even the speech to which they had just listened made confusion worse confounded, for the greater part of it had been taken up with a denunciation of the system of extending Imperial management to local affairs; but he thought the remarks of the right hon. Gentleman on that point would be replied to by the right hon. Member for North Staffordshire (Sir Charles Adderley). The right hon. Gentleman had said, however, that the Government would have to show very good reason for deferring their propositions upon local taxation until the present moment. Upon that point he quite agreed with the right hon. Gentleman, and he believed that the Government would be able to show very good reasons for not running blindfolded into the arena. There was no question before the country so complicated and so difficult as that of local taxation, and his belief was that no party in the State was at the present hour in a position to legislate finally upon it. The hon. Baronet the Member for South Devon (Sir Massey Lopes) had complained that the Government had ignored the wishes and opinions of that House, and that sentiment had been re-echoed by other Gentlemen opposite. But, with all respect, he did not think that was so. The Government had shown their consideration for and appreciation of the Vote passed by a very large majority of the House of Commons, by giving an unusual amount of care and time to the preparation of Bills on the subject, and as soon as the present debate was over, on the very next Government night his right hon. Friend the President of the Local Government Board would ask leave to bring in and explain the provisions of no less than three measures, and would also move for a Committee on a kindred branch of the subject. He maintained that that in itself showed that the vote of the House of Commons had not been without effect. He did not, however, believe that there was the slightest chance of legislation arriving at such a stage as would warrant the Government in laying aside for any such purpose part of the surplus of the year. If that was so, it was very difficult to defend the Amendment. It would not do to take hasty action on the subject of local taxation, and he was quite sure the country would not take it for granted that the landed property of this country was too heavily taxed. Every one of the points brought forward by the hon. Gentleman the Member for Brighton (Mr. Fawcett) must be carefully considered and however unpalatable some of the doctrines then enunciated might be in some quarters, he felt convinced that further debate would only serve to confirm their truth. The hon. Gentleman the Member for Westminster had stated that the intention of his right hon. Friend the Chancellor of the Exchequer was to pay the second half of the Alabama Indemnity out of the surplus of next year. What his right hon. Friend, however, proposed to do was to take power to issue Exchequer Bonds in case they were required; but he fully believed the Government would be able to pay the whole amount during the present year. But probably it was in the minds of others besides the hon. Member for Westminster, that in case the finances were not in such a condition as to allow of the Indemnity being paid this year, we should be encroaching upon the surplus of the year following, and upon that point a rather remarkable statement had appeared in the leading journal. Referring to this matter, *The Times* said—

> "Exchequer Bills issued to cover casual deficiencies are redeemed out of casual surpluses, and a Chancellor of the Exchequer is not bound to provide an income for their redemption; but Exchequer Bonds, from the time when they were first issued by Mr. Gladstone, 20 years ago, down to their issue by Mr. Hunt during the Abyssinian War, have always been issued under an express agreement to provide revenue for their redemption in a subsequent year."

That statement was not correct. He had been struck with the statement, and had looked carefully into the matter. With the exception of £1,000,000 of Exchequer Bonds issued by the right hon. Gentleman the Member for Northamptonshire (Mr. Hunt), Exchequer Bonds had never been issued under an express agreement to provide revenue for their redemption. The statement made by his right hon. Friend the Chancellor of the Exchequer was correct. Exchequer Bonds had been repaid out of excess of repayments over advances, or out of the Sinking Fund, or they had been renewed. If that were so, the whole superstructure of the hon. Member for Westminster which rested upon this statement fell to the ground. For his own part, he believed that his right hon. Friend would find not only that his revenue would come up to the estimate which he had made of it, but that he would be able to pay the second part of the Indemnity in the course of the year ending the 31st of March, 1874. There certainly was nothing in the state of the country or in their prospects which warranted the gloomy predictions which had been made. For the proposals made by his right hon. Friend he was in no way responsible, for he knew nothing about them until they were announced in that House;

but as a Member of Parliament, and as a merchant, he believed they were wise, and the best proposals that could be adopted at the present moment, and that—altogether apart from the Motion before the House—they had been accepted as entirely satisfactory by the country. The right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) was a great financial authority, and enjoyed a considerable reputation in that House, and he was surprised, therefore, at certain remarks which had fallen from the right hon. Gentleman with regard to the income tax. The right hon. Gentleman referred to a meeting which was held in the City of London, and alluding to the speech made by his right hon. Friend the Member for Tiverton (Mr. Massey) he called upon the Government to put a stop to this agitation by a specific declaration with regard to the income tax. But he thought that the House would agree with him that it was not in the power of any Minister, however sagacious, however far-sighted, and however much he might enjoy the confidence of his countrymen, to put a stop to such agitation by any mere dictum of his own. On the contrary, he believed that a Minister who adopted such a course would only be lending to such agitation greater strength and force. In any case, however, it would be very impolitic for a Minister to make such a declaration. For his own part, he had a horror of prospective finance, and thought that "sufficient to the day was the evil thereof." Three years ago his right hon. Friend the Chancellor of the Exchequer, though he did not make any specific declaration, let drop a remark which led to the inference that the sugar duties would not be again touched, and in the same breath his right hon. Friend had been twitted for his inconsistency, and asked to distinctly lay down his proposals for some years to come. He could not make out what the financial policy of the right hon. Member for North Devon would be. He began by saying he would offer no opinion whether the income tax should be repealed or reduced; but if his concluding sentences meant anything they meant that an additional penny of the tax should be taken off in preference to the reduction of the sugar duty. The right hon. Baronet had asked whether the Government always meant to reduce indirect in proportion to direct taxation. Now, his answer was that no such policy had been definitely laid down; but it was a policy to be acted on to a safe extent whenever the surplus allowed both to be dealt with. The right hon. Baronet had asked why the Government refused to touch the malt tax? Well, he was not aware that they had declared that any tax was absolutely sacred, and could not, whatever our financial position, be reduced or repealed. He did not know whether any agreement existed on the other side on the question; but probably the right hon. Baronet agreed with the right hon. Gentleman who had just spoken, who apparently objected to any reduction of indirect taxation. He had listened, not only with surprise, but with some pain, to the remark of the latter respecting the consumption of spirits. In dealing with the financial position of the country it was no part of one's duty to allude to the manner in which those taxes accrued, and because a portion of the working or middle classes had been drinking more intoxicating liquors—more beer and wine, recollect, as well as spirits—this was no reason for telling them they had conducted themselves so badly that the House did not mean to remit any indirect taxation affecting those classes of the community. As to the objection of the hon. Gentleman opposite (Mr. Sclater-Booth) to the Chancellor of the Exchequer again, after three years, reducing the sugar duty, he could not understand why a financial operation of three years ago, if it had succeeded and had proved a boon to the public, should not be repeated; nor, indeed, why, if the finances allowed, a duty reduced one year should not be repealed the next. The hon. Gentleman described the proposal as a repetition of the course pursued by the Prime Minister when Chancellor of the Exchequer, in reducing the tea duty to the long-desired 1*s*., and in afterwards reducing it to 6*d*., when his obvious duty was to deal with the malt tax. Why, however, if the Opposition deemed this an obvious duty, did they not run malt against tea?

Mr. SCLATER-BOOTH explained that his complaint was that both the Prime Minister and the Chancellor of the Exchequer, after announcing their intention to go no further, proposed a further reduction, the effect in both cases being that the malt duty could not be dealt with.

MR. BAXTER said, he had understood the hon. Gentleman to say that the Government had reduced the tea and sugar duties in order to prevent the House from dealing with the malt tax, and his reply was, why did not the Opposition, as the "farmers' friends," run malt against tea? The hon. Gentleman had complained that for several years the Estimates of the Government had been considerably in excess of the expenditure. This applied principally to the Civil Service Estimates. Now, no one could know better than the hon. Gentleman that of late years a number of items had swelled those Estimates of so problematical a character that the most far-sighted person could not foresee what the expenditure would be. The hon. Gentleman had himself mentioned one of them—Public Education. Now, had the Government erred on the incautious instead of the cautious side, the hon. Gentleman would have been the first to call them to account. It was, of course, desirable that the Estimates should more closely approximate to the expenditure, and he thought that that, with the aid of the Public Accounts Committee, might, to some extent, be done; but the very fact that the expenditure had been so much below the estimate showed a careful and economical management of the expenditure by the Government, and after all the money was not thereby lost, for what the country paid in excess it got back very shortly afterwards. He would only add that much as he admired the Budget he did not in the least regard it as having the air of finality, but rather as a step, or series of steps, in the right direction; and he looked forward with hope, and not only with hope, but with confidence, to further reduction in the expenditure of the country, and, consequently, to further reductions in the burdens of the people.

MR. LIDDELL said, the inference which he drew from the circumstances under which the House found itself that evening, was that it was an extremely inconvenient practice to permit the Chancellor of the Exchequer to introduce his financial scheme for the year on the eve of a Recess. It tended to tie the hands of the House in dealing with that scheme as a whole; for if they now rejected the reduction in the sugar duty that important industry would have just ground of complaint. He hoped, therefore, the practice would not be repeated. They had been told a good deal about this being a Vote of Censure, but really the House was weary of this cuckoo cry, and he hoped that no one would be deterred from expressing his opinion on the question because of it. They had been charged on his side of the House with being selfish and greedy; selfish because they objected to remissions of indirect taxation, and greedy because they clutched at remission of direct taxation. He denied the justice of that imputation; and, for his own part, he was prepared to object to the Budget as a whole as a popularity-seeking and time-serving scheme of finance. In the heyday of prosperity it called on the nation for no extra efforts for the reduction of the Debt, and it abandoned sources of revenue which, if retained, would have assisted in making that reduction. He was convinced, unpopular as the doctrine was, that an honourable nation, like an honourable individual, was bound to make every effort to pay off debt when it had the money in its pocket. Could the most sanguine expect that we should ever be in a better position to effect that great object? He had been glad to hear his right hon. Friend (Mr. Baxter), whose financial skill the House admired, almost assure them that the Alabama Claims would be paid within the year; but this would have become a certainty had the taxes been kept up to their present amount. The pecuniary amount of the Alabama Claims to a wealthy nation like this was a mere bagatelle; but the moral weight of the obligation was very heavy. That moral weight consisted of the irritation in the national mind connected with many of the circumstances of that Reference and Award; and therefore it would be wise and sound policy to wipe off the obligation and all its unpleasant reminiscences as soon as possible. Knowing that the Estimates of the revenue were framed, not by the Chancellor of the Exchequer, but by the most practised and competent authorities in the country, he said, with submission, that he could have wished that those Estimates had been less sanguine. The right hon. Gentleman who spoke last expressed his confidence that the prosperity of trade would remain at its present point. He, however, had great doubts about that, and if the right hon. Gentleman had been where he himself had been that morning he would have seen that there were significant symptoms of a reaction in many important departments of industry, apart altogether from the not very favourable prospects of agriculture this year. He now came to the Amendment of his hon. Friend the Member for Westminster (Mr. W. H. Smith.) With great deference to his hon. Friend, whose speech he thought very able, he must confess he did not like his Amendment; because he thought it was unwise, in writing or speaking, to say a thing which was not only liable to misconstruction, but which even some eminent classical scholars were found ready to misconstrue. He owned that he was astonished at the amount of misconstruction which undoubtedly had been put on the Amendment, considering the quarter from which that misconstruction first proceeded. On that ground he disapproved the Amendment; but he said it was open to misconstruction because it dealt with the remission of indirect taxation alone. He was surprised to hear the Chancellor of the Exchequer deliberately tell them that direct taxation was paid by the rich, and indirect by the poor; because in that ingenious but not very accurate classification a great fallacy lay. He asked any candid person whether the working man, in whose full participation in the prosperity of the country he rejoiced, and whose wages had increased in the last few years 20, 30, 40, 50, aye 60 per cent and upwards, as could be proved by satisfactory evidence, was not in a better position to pay his small quota to the revenue from his luxuries than the man with a fixed and inelastic income, the purchasing power of which had been reduced, at a very moderate computation, from 5 to 10 per cent by the present scale of prices. With regard to local taxation, the Government would have acted more wisely and have satisfied the country if they had explained what were their present views on that subject before asking the House to accede to the Budget. His main objection to their financial scheme was that they parted with revenue which would prove irrecoverable before the House knew how far they intended to carry the principle of applying Imperial revenue to local purposes. He should also have liked to know something more about their sanitary legislation, which he apprehended would turn out to be very expensive. A panic appeared to prevail on the other side of the House in regard to any claim made with respect to local taxation from his side; and he was surprised to find that the hon. Member for Brighton (Mr. Fawcett), whose opinions on that and other subjects invariably commanded respect, seemed to share in that alarm, for which there was no real foundation. That hon. Member said demands were made for indiscriminate grants of public money to be applied without control in aid of local expenditure. Now, he had never heard any such demand from any advocate of the reform of local taxation on his side of the House; and, speaking for himself, if it were made he would oppose it. He believed that his hon. Friend (Mr. W. H. Smith) and also the hon. Baronet (Sir Massey Lopes) would not sanction it. The cry which came from the localities affected was that Parliament was raising rates for Imperial purposes; and he said that this Parliament had been very extravagant in that matter of rates. The Education Act was a very extravagant and expensive Act, and they did not know to what length expenditure was likely to go in carrying out that Act. That cry did not come from the counties, or the places occupied or owned by wealthy proprietors, but from the small ratepayers in their large cities, on which class, and not on the rich, the pressure of local taxation really fell. The Chancellor of the Exchequer, in his ingenious but inaccurate classification, ignored that great fact. The real relief to local taxation was not to be found in driblets from the Imperial Exchequer, but in uniformity of assessments, in the abolition of exemption, in economic and concentrated administration. He was not saying a word against the great principle adopted by the House last year by a very unusual majority—namely, that expenditure incurred for national objects should be paid for out of national funds. He did not think, he might add, that the Amendment was a wise one, and he hoped, therefore, his hon. Friend the Member for Westminster would not press it, inasmuch as it was not well that a false impression should be created in the country. He was, at the same time, of opinion that the Amendment had done good service, as it had enabled those who did not take a party view of finance—which of all questions ought to be kept aloof from considerations of party—to discuss the subject on its merits, and to sweep away the cobwebs and dust by which it had been surrounded.

MR. MASSEY, in opposing the Amendment, said that whatever were the merits or demerits of the Budget it was at all events extremely simple, proposing as it did that a surplus which was very considerable should be divided equally between direct and indirect taxation. If the hon. Member for Westminster (Mr. W. H. Smith) disapproved that arrangement it was perfectly competent to him to challenge it when it was made; but he was now clearly out of time, inasmuch as he had sanctioned a most important part of the scheme—that involving the remission of the income tax. If after that remission the House were to declare that it was not right to remit indirect taxation, the consequence would be that the Budget must be reconsidered on the principle advocated by the hon. Gentleman, and that a bad effect in the country would thus be produced. As to what was to be the nature of the Budget of next year, of course the Chancellor of the Exchequer could not say, and he therefore could not undertake to meet the hon. Gentleman's views. The hon. Gentleman had alluded to a letter which had been written by the Prime Minister to the Chairman of the Metropolitan Board of Works, and to a somewhat similar statement which he had made to a deputation which waited on him with respect to the income tax. To his mind the language used by the right hon. Gentleman on the subject was ambiguous, and wishing to see the income tax abolished, he did not derive from it very much consolation. If he had done so the impression would have been entirely counteracted by what had fallen from the Chancellor of the Exchequer, who evidently had not fixed upon any early day for doing away with the tax. But to descend from these two right hon. Gentlemen to so humble an individual as himself, the House would perhaps permit him to say a few words in reference to some remarks which had been made by the right hon. Member for North Devon (Sir Stafford Northcote) and others on a speech which he had made on the subject of the tax at a public meeting. He was very much surprised to find that speech adverted to in the House of Commons as a matter of importance, and he should be very sorry indeed to consider himself as having been in any way responsible for the Amendment. The Government certainly were not responsible for anything that he might have said on that occasion, for no hon. Member had, perhaps, less communication with them than himself, and he had no doubt that if he had consulted them as to what he had thought fit to say at the Mansion House meeting, their wish would have been to dissuade him from taking any such course as he had done. But be that as it might, to the sentiments which he then expressed he still adhered. The income tax had been resorted to by great Ministers such as Pitt, Sir Robert Peel, and his right hon. Friend below him to accomplish great objects, and was not meant to be permanent. Those objects had been attained, and the country was prosperous. It was therefore, in his opinion, not unreasonable that the abolition of the tax should be looked for. He did not mean to say that the tax should be remitted rashly; but there was, at all events, considerable reason in the agitation which had been got up on the subject. They had been told that the Chancellor of the Exchequer had repealed £9,000,000 of taxation and had not diminished public revenue, and these were considerations which were entitled to great weight. They might fairly expect an expression of opinion on the part of the Government this year which would bind them to definite views either as regarded the discontinuance of the tax or a change in the present incidence of it. He did not wish to denounce the principle of the income tax, which pervaded the greater part of our system of direct taxation, and was to be found in the probate and succession duties, in the house tax, and in the licence duties; but the specific form of the income tax was one which had not been recognized as part of the permanent fiscal system of this country. There were anomalies, such as the assessment of an annuity on the same scale as fixed capital, and of professional men and clerks on the same scale as annuitants, and the offensive and demoralizing inquisition by which the tax was extorted from the trader, and it was said these grievances could not be redressed. That statement was the strongest condemnation of the tax. When it was made persons were justified in saying—"You should tax your ingenuity to devise other means, less objectionable and more fair, to obtain from us our share of the public burdens." No reasonable opponent of the income tax expected that any great inroad upon it would be made this year; but he hoped the Government would announce their intention of dealing with it otherwise than as an ordinary instrument of taxation, and of trusting to the public spirit of the country, which was never invoked in vain, in case of an emergency.

Mr. HUNT confessed he was greatly surprised at the speech of the right hon. Gentleman who had just sat down, considering his peculiar antecedents and the important position which he had so lately occupied. The right hon. Gentleman had very recently occupied the important position of Finance Minister of India, and this very question of the income tax formed the chief point of discussion in India during his financial administration in that country. Coming back to this country hot from the consideration of the income tax in India, he availed himself of the first opportunity afforded him of regaining a seat in that House; he addressed a meeting in South Devon in a speech declaring himself favourable to the total abolition of the income tax. Some people, however, might say that that was, after all, but an electioneering speech, made in the excitement of the moment and for the purpose of gaining one object; and they knew that many things were often said by candidates under such circumstances which they afterwards wished to be entirely forgotten. But the right hon. Gentleman subsequently, and after his election, took a leading part in a political meeting at Guildhall, where he had no such plea to urge, and where he spoke with cool deliberation. And in that address the right hon. Gentleman declared himself favourable to the abolition of the income tax—an event which he said he thought would soon be accomplished. It was naturally inferred that the views he had then advanced would be advocated by him on his re-entrance into Parliament; and it was therefore astonishing to hear him say that he saw no prospect of the abolition of the income tax, and only looked forward to it at some future time. It did not lie in the mouth of the right hon. Gentleman to say that the hon. Member for Westminster (Mr. W. H. Smith) had mistimed his Motion, and ought not to have waited until the House had agreed to remit a penny of the income tax, for if he opposed the remission of a penny now how could he expect remissions in the future? The hon. Member for Northumberland (Mr. Liddell) was certainly quite free to vote for the Motion of the hon. Member for Westminster, because he avowed he was not misled by the fallacious misconstruction put upon it by the Chancellor of the Exchequer; and as to the payment of the Alabama Claim out of revenue, which would have been a sound measure, it could be proposed, after the adoption of this Amendment, on coming to the Customs and Inland Revenue Bill, because the financial measures of the Government were yet in a inchoate state, and the remission of a penny of income tax could yet be opposed. As to the speech of the Chancellor of the Exchequer, he was greatly surprised at the spirit which animated his observations. The right hon. Gentleman had evinced an unfairness of inference and a recklessness of assertion which he (Mr. Hunt) never remembered any Gentleman in that House having been guilty of before—especially one occupying the responsible position of Chancellor of the Exchequer. The whole object of the right hon. Gentleman seemed to be to set class against class in this country. If the observations which the right hon. Gentleman addressed to the House with regard to the question of the remission of taxation, as it affected the rich and the poor, had come from some Tribune of the People, sitting below the gangway they might have passed without notice; but, coming from a Minister of the Crown who was the guardian of the public purse, he thought they were deeply to be lamented. However, they would not have the effect the right hon. Gentleman intended, because the working classes did not look upon the right hon. Gentleman as their champion; they had read the newspapers and had tenacious memories, and they had not forgotten the speeches of the right hon. Gentleman in 1866. Some of the remarks then made by the right hon. Gentleman had made such an impression that the right hon. Member for Birmingham (Mr. John Bright) proposed to have them posted up in every workshop in the country. He thought it would require a great deal of the right hon. Gentleman's sugar to get rid of the nauseous flavour of those speeches. The right hon. Gentleman's charge against his hon. Friend the Member for Westminster and those who supported the Motion on that side of the House was substantially this—"Oh yes, you were willing enough to have a penny taken off the income tax; but when it came to the question of remitting the taxation which the poor man paid you cried 'halt', and would not go so far as that." His right hon. Friend the Member for North Devon (Sir Stafford Northcote) had dealt with the question of income tax, and had shown that the remission of a penny would not relieve those whom it most pinched—namely, those who just came within the range where income tax was payable. Therefore, he need not allude further to the subject. But in regard to the sugar duty, the right hon. Gentleman had spoken as if the poor would derive the greatest benefit from the proposed remission. This he altogether denied. There was an interesting work by Professor Leone Levi which gave statistics respecting the pressure of taxation on the working classes. Professor Levi had addressed printed inquiries to working men in different parts of the country, asking for information as to their consumption of articles of food and drink, and their expenditure on clothes, rent, &c. By these means he had been able to ascertain the truth approximately, and the result of his inquiries was that half the sugar duty was paid by the working classes and the other half by the upper and middle classes. Therefore, the right hon. Gentleman's Budget, regarded in this view, was as to three-fourths in favour of the middle classes, and only as to one-fourth in favour of the working classes. Of course, he was taking Professor Levi's figures, and arguing on the right hon. Gentleman's own assumption that the reduction of the income tax was in favour of the rich. There had been a good deal of discussion as to whether the consumer got all the benefit of the remission of the tax upon sugar. The other day he ventured to dispute the assertion that the consumer would get the benefit; but the right hon. Member for North Devon did not quite assent to his proposition. He thought, however, that the difference between himself and his right hon. Friend might be reconciled. No doubt consumers who bought sugar in large quantities would derive a great benefit from the remission, but not so those who purchased it in small quantities, because there was no coin of the realm small enough to represent the reduction which would be effected in the fractional part of a pound. Poor people like those among whom he lived in the country bought their sugar by ounces, and not by pounds. The result would be that those who purchased sugar by the cwt., like the Chancellor of the Exchequer, would derive a benefit, but the poor would not; and their share of the reduction would go into the pockets of the trader or the refiner. This question might also be regarded from another point of view. If the right hon. Gentleman were desirous to benefit the poor by the remission of indirect taxation why did he choose the article of sugar? The right hon. Gentleman had stated that he was guided in his selection between luxuries and necessaries. As between malt and sugar it might be disputed which was a necessary and which a luxury to the working classes; but he felt quite sure that if he asked the working men in Northamptonshire their opinion on the subject every hand would be held up in favour of the remission of the duty on beer in preference to the remission of the duty on sugar. The right hon Gentleman drew a distinction between direct and indirect taxation; but did he mean to say that the beer drinker did not pay the malt duty? [The CHANCELLOR of the EXCHEQUER said he no doubt did indirectly.] He (Mr. Hunt) thought the right hon. Gentleman would admit that. In regard to the proportion of the malt duty and sugar duty which was paid by the working classes, he might mention that, according to Professor Leone Levi's statistics, out of every pound paid as taxes by the working classes 3*s.* went to the malt and 1*s.* to the sugar duty; whereas the middle and upper classes paid on malt 9*d.*, and on tea and sugar together 1*s.* Therefore, if those statistics were trustworthy, the reduction of the duty on malt would assist the poor much more in relation to the rich than a reduction of the duty on sugar. If the right hon. Gentleman had reduced the duty on malt by one-fourth as regarded the revenue it would have nearly amounted to the same thing as the present proposed reduction of the sugar duty, and yet the relief afforded to the working classes would have been nine compared with six as regarded sugar. The right hon. Gentleman very unfairly charged the Opposition with objecting to the remission of the sugar duty because he said it affected the poor man and not the rich man. He had shown, however, that the rich man derived greater benefit than the poor man from the reduction of the sugar duty. Theoretically they both received the same benefit; but practically, in consequence of the difficulty of dividing a farthing between the ounces of which a pound was composed, the rich man got by far the larger share of the advantage. The objection he raised to the remission the other day was that the Government were frittering away this tax and reducing it to so small an amount that it would be scarcely possible to maintain it in the future; and, indeed, he thought the right hon. Gentleman's own arguments told in favour of the total abolition of the duty. Now if the sugar duty were abolished what source of revenue would be left? The right hon. Gentleman the Member for Tiverton (Mr. Massey) proposed to abolish the income tax at no distant date; but this remission of one-half of the sugar duty would make that object very difficult of attainment. Then he hoped, in the interests of morality, that henceforth the spirit duty would not produce as much as it had done in recent years. What, then, would be left for the taxation of the country to rest upon? This was a very serious consideration, and the Chancellor of the Exchequer might have given the Opposition credit for looking beyond the present year, instead of acting on the maxim which appeared to have been adopted by the right hon. Gentleman the Secretary to the Treasury—"Sufficient unto the day is the evil thereof." In recent years there had been no popular outcry in favour of a remission of the sugar duty. On the other hand, the outcry against the income tax had not only been intense and widespread, but during the last few months it had assumed larger proportions than it had ever done in recent times. Therefore, he could quite understand the right hon. Gentleman turning his eyes to the income tax, though he was unable to comprehend why, having regard to the interests of the consumer, he should propose a remission of the sugar duty. There was, no doubt, great inconvenience to the trade in the classification of sugars, and the duties thereon; but there was no particular reason for interfering with it as regarded the consumers—the rich and the poor—with a view to their reduction. Again, the doors of Downing Street were besieged year after year by persons who objected to the malt duty, and if any taxation affecting the general consumption of the country were to be considered, he maintained that malt had far higher claims than sugar. Besides, the House of Commons declared last Session, by a majority of 100, that relief should be given to local taxation. The right hon. Gentleman had remarked that the Government were preparing to deal with this subject; but how long had the Government been preparing to deal with it? Two years ago they were not merely preparing, but actually prepared to deal with it in the shape of a Bill which was laid upon the Table, and they had a definite proposal in regard to the finances of the year. If two years ago they had a prepared scheme—a scheme which was complete and to which the Cabinet had assented, a scheme which proposed to surrender £1,200,000 to aid the local revenue—he wanted to know with what face they could come down to that House and say that they were preparing a scheme, when two years ago they had one which was cut and dried. What had they done with that scheme? Why was it not proposed in 1872? Why was it not brought forward at the commencement of the present Session? Did anyone believe that they would have now received the promise of even an incomplete scheme but for the Motion of which the hon. Member for South Devon (Sir Massey Lopes) had given Notice. The fact was that the Government had been driven to give the Notice they had done of the introduction on the next Government night of the three Bills in the charge of the President of the Local Government Board. The right hon. Gentleman had told them the other night that they were not satisfied with the authorities who administered the the local revenues. But they were not satisfied with those authorities when they came into office. As matters now stood, it would be impossible for the right hon. Gentleman to give any substantial relief to local burdens this year, or, as he intended being his own successor, next year either. His complaint was that the proposal of the right hon. Gentleman would have the effect of eating up the surplus of next year. The right hon. Gentleman now denied that the Exchequer Bonds were to be paid out of the taxation of next year; but the point when referred to in the right hon. Gentleman's speech on the Budget was certainly put in a very hazy and vague manner, inasmuch as the impression was left not only upon his own mind but upon the minds of many others that these bonds were to be provided for out of the revenue of next year. As he now understood the proposal of the right hon. Gentleman it was that the whole of the Alabama Indemnity was to be paid during the year, and that the Exchequer Bonds which were to cover one-half of the amount would be defrayed out of balances in the Exchequer as they might arise. The proposal was, in his opinion, therefore, an extremely vicious one, for it amounted to this—that the right hon. Gentleman intended to make no provision for the payment of the liabilities we were incurring, but to leave that payment to the contingencies of the future. The right hon. Gentleman the Secretary to the Treasury had stated that there was only one instance in which the payment of Exchequer Bonds at the time of their issue was specifically provided for out of taxation. But the first Exchequer Bonds issued in 1854 were issued with the condition that they should be paid off at the end of four years. It was perfectly true that if there was wherewithal in the Exchequer to pay off these bonds, it would not be necessary for that purpose to come upon the revenue of the year; but were they right in reckoning that they would always have a sufficient surplus to cover them? If they trusted to the balances they were trusting to a prosperous revenue, to those happy circumstances which had attended the career of the right hon. Gentleman in his present office; but those circumstances could not be relied upon. The right hon. Gentleman the First Minister of the Crown had described the revenue as having gone up by leaps and bounds; but that which went up by leaps and bounds might go down by leaps and bounds. When, therefore, he had upon a former occasion described the Budget as happy-go-lucky, he had never thought that the phrase would so soon receive confirmation as it had done that evening in the speech of the right hon. Gentleman the Secretary to the Treasury, who had announced that "sufficient to the day was the evil thereof." Now, it was well to understand exactly what the proposal of the right hon. Gentleman the Chancellor of the Exchequer really was. The effect of the reductions, and his proposals with regard to the Alabama Indemnity would be, according to the right hon. Gentleman's statement at the introduction of the Budget, to leave a working surplus of £291,000. In answer to some observations of his the right hon. Gentleman subsequently gave the details. These details in their result showed a discrepancy of about £20,000 compared with the statement, and though the sum was not a large one, accuracy, as he thought, was a desirable quality in a Chancellor of the Exchequer. The right hon. Gentleman expected to be in the happy position next year of being £1,600,000 to the good. Supposing, however, that the revenue continued in its present flourishing state, and that the whole of the Alabama Indemnity were defrayed without encroaching upon the taxation of the country, he doubted very much whether the right hon. Gentleman would have a surplus of £1,600,000 to deal with; for in his calculation, with respect to both the income tax and the sugar duty, he apparently lost sight of the fact that the revenue would be affected by these changes for three months of the financial year. [The CHANCELLOR of the EXCHEQUER said, that his calculations allowed for this circumstance.] Perhaps so, in the right hon. Gentleman's mind, but he had not given the House that information. Then, again, it was certain that there would be an increase in the Estimates relating to public buildings. The House had been told the other evening that it was intended to proceed seriously with the building of the Law Courts, and there were other buildings which next year were to be pushed on more rapidly than hitherto, so that altogether the Estimates in this respect could scarcely be less than £250,000 above the last year's expenditure. If, therefore, the income remained at the point it was at present, at least half the surplus might be absorbed. These considerations, therefore, fully justified those who did not take the sanguine view of these matters adopted by the Chancellor of the Exchequer. It was these considerations which led them to discriminate between reduction of income tax and reduction of the sugar duty. The pressure of the income tax was generally felt, the remission of the sugar duty had not, he believed, been asked for by a single taxpayer, and the supposed hardship which it inflicted was the production of the brain of the right hon. Gentleman himself.

Mr. WHITE said, he had never heard arguments more completely refuted by anyone than were those with which the Member for Westminster had sought to support his Motion by the Chancellor of the Exchequer. The right hon. Gentleman had, he might say, discharged a blunderbuss which blew the brains out of that Resolution. He regretted to hear the speech in which the hon. Member for North Hants (Mr. Sclater-Booth), an ex-Secretary of the Treasury, too, had supported the Resolution, because the line he had taken was one calculated to set a bad example to the House, and should not, certainly, meet with the approval of the right hon. Gentleman the Leader of the Opposition. On one occasion, he (Mr. White) had ventured to say that the right hon. Gentleman the Chancellor of the Exchequer systematically in his Estimates underrated the revenue he would receive, and he was then taken to task by the right hon. Gentleman the Member for Buckinghamshire, who seemed to think that it was the height of Parliamentary impertinence for any hon. Member, and especially so in one who had not been in office, to question the calculations and estimates of accruing income annually submitted by the Chancellor of the Exchequer. But, during the present debate, they had seen the Chancellor of the Exchequer's calculations reviewed, criticized, denounced, and condemned by right hon. and hon. Gentlemen, of great official experience, now sitting on the front bench opposite. Against such a course he might be allowed to quote an authority which they at least would not question—namely, that of their right hon. Leader (Mr. Disraeli)—

> "I must," said the right hon. Gentleman, "protest against the habit that is growing up of doubting the Estimates of the Chancellor of the Exchequer. What is the use of a Financial Statement by so important an officer as the Chancellor of the Exchequer, if when he gives us certain results of his own and his colleagues' mature deliberations, we are to say such and such is not the case, your Estimates are all wrong?"

The right hon. Gentleman went on to say—

> "Such a course would, as it appears to me, leave the House open to every financial freak which can occur to any hon. Member."

Such being the opinion of the right hon. Gentleman, it seemed incredibly inconsistent that the Resolution of the hon. Member for Westminster had been brought forward with his express sanction and authority, as it undoubtedly had been. When listening to the bland, but not persuasive, tones of the hon. Mover of this Resolution, he might exclaim, "the voice is the voice of Jacob," but, glancing at the astute terms of his Motion, he might truly add, "but the hands are the hands of Esau." He ventured to affirm that the Resolution was wholly unworthy of any great historical party. In the whole course of his political experience, he had never known the Conservative party behave in a manner so ineffably mean. They were not acting in that honest outspoken spirit of Parliamentary opposition which became hon. Gentlemen. What had they done? Whilst they had a perfect right to question the policy of the Budget in its entirety, they had not adopted that course; but assented to the reduction of the income tax, which benefited themselves—the rich—and then stealthily endeavoured to cancel that portion of the plan of the Government that remitted indirect taxation, which affected the poor. Hon. Members opposite alleged that the reduction of the sugar duty was an irretrievable remission and a disastrous policy, it being indirect taxation—and yet they were all clamorous for the reduction of the malt duty. What was the malt duty but indirect taxation? He hoped he might live to see the day when, by a more thrifty system of government, and owing to increased prosperity of the country, the malt tax might be safely abolished. But it was

£7,000,000 of indirect taxation, and yet country gentlemen were strongly in favour of its remission, while they had the greatest possible objection to a reduction of the duty on sugar. For his part, he believed that the people of the country would come to the right conclusion on reading the Resolution—namely, that the great Conservative party now thought they had made a mistake in extending the franchise, and did now, as formerly, profoundly distrust those who had been admitted to political privileges through the medium of household suffrage. He could affirm that there was no "ignorant impatience of taxation" among the working classes. They had no desire to be relieved from a just taxation by unjust taxation on others. Let hon. Members opposite look across the Atlantic, and they will there see a kindred people — with the sovereignty of universal suffrage—and yet in their country's need cheerfully submitting to a burden of taxation unparalleled in the history of the world. The right hon. Gentleman the Member for Northamptonshire (Mr. Hunt) had quoted from a recent pamphlet by Professor Leone Levi, and accepted the conclusion at which he had arrived with respect to the proportion of taxation which was now borne by the working classes. With great respect to the Professor, he (Mr. White) having given much attention to the subject, could not, in many instances, assent to the correctness of his conclusions. The right hon. Gentleman however, if he had referred to another part of the pamphlet would have found the Professor stating that, in Prussia, 25 per cent of the revenue was drawn from direct, and 11 per cent from indirect, taxation; that in Russia, 25 per cent was from direct, and 49 per cent from indirect, taxation; while in Great Britain they had but 15 per cent of the revenue drawn from direct, and 72 per cent from indirect, taxation, with 13 per cent from the Post Office, Telegraph Service, and other sources. Did the hon. Gentleman (Mr. Hunt) observe that the Professor, having drawn a comparison between direct and indirect taxation in different countries, went on to remark—

> "I need not say that, whatever be the reasons in favour of indirect taxation, and I confess they are very cogent, indirect taxes are certainly more injurious to the community, as interfering with commerce and manufactures, as restricting the progress of wealth, and as augmenting unnecessarily the cost of the food of the labouring classes."

Many years ago, he (Mr. White) moved for and obtained the Official Returns of Taxation throughout Europe. They incontestably proved that the direct taxation of Great Britain was, as it was now, very much less than in any other country. Yet, because the Chancellor of the Exchequer had thought fit to equitably divide remission of burdens between direct and indirect taxation, undeserved censure had been heaped upon him. He had been wont to remark that the Chancellor of the Exchequer had under-estimated the revenue, and the result had always exceeded his (Mr. White's) more sanguine estimate. He felt confident that the right hon. Gentleman's estimate, based, of course, as heretofore, on the judgment of the permanent Revenue Officers, would not prove excessive. He (Mr. White) was confirmed in this conviction by looking at the continuous growth of the Excise for the last five years. In the Financial year ending 31st of March, 1869, the Excise yielded £20,462,000; in 1870, £21,763,000; in 1871, £22,788,000; in 1872, £23,326,000; and in 1873 it yielded £25,785,000. The estimated income for the present year was only £8,230 more than last year, although the annual normal growth—spontaneous increment—of the revenue was from £1,300,000 to £1,500,000. Supplementary estimates were apprehended by the right hon. Gentleman (Mr. Hunt), but those had occurred before, and yet the actual expenditure in 1872 was £942,980 under the estimated expenditure, and in 1873, £599,000 below it. The estimated income for 1873-4 was £76,617,000, and the actual income for 1872-3 was £76,608,770, or £1,900,456 more than 1871-2, although taxation to the amount of £3,200,000 had been remitted. He need say no more to show that the Chancellor of the Exchequer's estimate of the accruing revenue would be more than realized. The right hon. Gentleman (Mr. Hunt) had spoken disparagingly of sugar as an article of consumption by the poorer classes, but according to an eminent Conservative statistician, Mr. Dudley Baxter, the cotters of Connemara, too poor to eat meat, were great consumers of it, eating it on their bread and in their stirabout in large quantities as often as they could get it, while the highly-rented and underpaid poor in the east-end of London depended almost as much upon it. After expressing his satisfaction at the settlement of the Alabama difficulty, the hon. Gentleman referred to his share in the endeavour to induce the Government to pay the whole of the Indemnity out of the Exchequer balances. His reason was that, on the average, during each of the last four years, £2,500,000, say £10,000,000 of unnecessary taxation had been imposed on the taxpayers, and that amount appropriated to the Sinking Fund; the balances also increasing from £7,000,000 in 1871 to £9,000,000 in 1872, and nearly £12,000,000 in the present year, though the Prime Minister, in 1864, spoke of £7,000,000 as ample, and in 1870 the Chancellor of the Exchequer told the House that a balance of £,8,606,000 "was rather larger than we should wish to see." He believed that, under the Act of 1866, which regulated the Receipt, Custody, and Issue of Public Moneys, the Chancellor of the Exchequer would have been warranted in paying the whole amount of the Geneva Award out of his redundant balance, our liability to the United States being a national debt in the strictest sense of the word. He did not complain of the Government—looking at the temper of the House—not adopting his recommendations in their entirety, but seeing the country had been mulcted during the last four years of quite £10,000,000 in excess of the requirements of the public service, he did think the whole of the Alabama penalty ought to have been put to the capital account, and taxation to the extent of £4,500,000 now remitted. The hon. Member for Westminster (Mr. W. H. Smith) should have consulted the Conservative working man, of whom he was so great a patron, before moving his Resolution, and he would have learnt that indirect taxation pressed heavily on the wage-earning classes. He might have told him, on the authority of the Commissioners of the Inland Revenue, that the Chancellor of the Exchequer now gets a ½*d.* out of every quart of beer, and 3*d.* out of every quartern of spirits he might drink. Moreover, that out of every 3*d.* spent on tea by the poorer classes, quite 1*d.* is duty, or increased cost owing to the duty. That whilst he, the Conservative working man, paid a duty of 500 per cent on his pipe of shag tobacco, the hon. Member paid only 12½ per cent on his regalia cigar. He might have also added, on the authority of the Prime Minister, that out of every 5*s.* now spent by the working classes on spirits, 4*s.* found its way into the Exchequer. Illustrative of the pressure of indirect taxation upon the lower class of income taxpayers, a class which especially required relief, he (Mr. White) found, as the result of his calculation, that a man with £150 a-year and a wife and three children paid to the revenue on the tea and sugar that he used, a sum equivalent to an income tax of 8*d.* in the pound, while the bachelor with £1,500 a-year only paid ¾*d.* in the pound. It would be, perhaps, a social calamity to abolish the property tax, if they ever succeeded in getting rid of the obnoxious income tax, for he ventured to think that they required to have some tax that fell upon the rich, and from which the wage-earning classes were exempt, in order to prevent much bitterness from prevailing among those classes in consequence of the unjust incidence of our indirect taxation. Let them never again have any mention of the "untaxed working man," seeing that £41,000,000 of the Imperial revenue are now derived from six articles mainly used by him—namely, tea, sugar, coffee, spirits, malt, and tobacco. It was demonstrable that that portion of the population exempted from the operation of the income tax still did contribute, in proportion to its means, a much larger amount than was contributed by the other and richer sections of society. The Customs duties now yielded £21,000,000, but there was no article of luxury charged at the Custom House. Wine, worth £2 10*s.* a gallon, paid no more duty than wine costing 1*s.* a gallon. Our present Customs duties were now levied mainly on the physical necessities—for they have become such—or on the physical enjoyments of the poorer classes. For a long time we had abandoned the Customs duties, formerly paid by the rich, and have been extracting a vast revenue from articles consumed by the middle and lower classes. He (Mr. White) had ever held that, in a rich country like England, our fiscal system not only should be professedly fair, but ought to be absolutely and conspicuously just. It ought not to be forgotten that it was the rich alone that now imposed the taxes which the poor paid. Hence there ought to be some large unmistakeable tax on realized property—a tax which especially taxed rich people—and which no one can overlook. Otherwise, he (Mr. White) thought—with the existing inequitable incidence of our indirect taxation there would be—he might say there ought to be—much bitterness and discontent. The condition of our people had not essentially altered since the Prime Minister told the House that, of the £41,000,000 of Customs and Excise duties, quite three-fourths were raised from consumers so poor that the great majority of them were compelled to expend all their earnings in obtaining the barest necessaries of life. Was it, then, too much to say that property paid too little and poverty too much, when we call to mind that, out of the total revenue of the past year—namely, £76,608,770, fully £50,000,000 were raised from Customs, Excise, and other imposts bearing upon the trade, industry, and subsistence of the people? The late Sir George Lewis, when Chancellor of the Exchequer, laid on the Table an interesting Report showing that the working classes spent one-eighth of their earnings on tea and sugar. If the present Government would institute some authoritative investigation into the present incidence of taxation—he (Mr. White) having vainly tried to obtain a Select Committee to inquire into it some years ago—whereby we should accurately know the respective amounts of taxation falling on the working and other classes, such official information would prevent the perpetual perpetration of ludicrous errors and discrepancies by hon. and by right hon. Gentlemen, and would prove extremely useful in guiding their future deliberations. In dilating on the prosperity of the country, hon. Gentlemen appeared to have the operatives in the coal and iron trades too exclusively in their minds. Although more alcoholic liquor was consumed by the people, there was much less drunkenness now than formerly. They had, it was true, an enormous and an annually augmenting accumulation of wealth; but in its distribution, had any country shown such startling inequalities of conditions as our own at the present time? The Poor Law Return issued that day showed that, in the fourth week of last February, there were 865,606 paupers in England and Wales, or 1 in every 26 of the population. Had they not also millions constantly on the very brink of pauperism? They had boundless opulence and extravagant luxury side by side with squalid, grovelling, seething poverty. For instance, a Petition just presented from the Scottish Chamber of Agriculture stated that nearly one-third of the population of Scotland—that was, 1,130,000—lived

> "In houses of one room, without separate apartments, by day or night, for male or female, and large numbers of these houses are otherwise in the most miserable condition."

These things proved that the gorgeous picture of British prosperity was set in a very dark and sombre frame; and he was somewhat in the position of the slave in ancient times placed by the side of the conqueror in his triumphal car to whisper that he was mortal. In conclusion, he would say, with regard to the financial proposals of the Government, in the words of the Wise Man—"There is that scattereth and yet increaseth;" and with respect to the Resolution of the hon. Member for Westminster—"There is that withholdeth more than is meet, but it tendeth to poverty."

SIR GEORGE JENKINSON said, he believed that few people either in or out of the House would endorse what the hon. Gentleman who spoke last said about the Alabama Award. The Attorney General had told his constituents at Exeter that he could not think of that subject without his blood tingling, and his palms itching, and the Chancellor of the Exchequer at Glasgow intimated that we were paying the Indemnity only to keep the Americans in good humour. Moreover, the Americans were now boasting that they had obtained from us one-third more money than the actual amount of the Claims; and General Butler was bringing in a Bill in the American Legislature to appropriate the surplus for the benefit of the State. Therefore, when the people at Brighton read what their Member had said, he doubted if they would endorse his sentiments on this subject. He could not support the Motion of the hon. Member for Westminster (Mr. W. H. Smith) for three or four reasons. The Resolution stated so broadly that all remission of indirect taxation should cease that he could not help thinking that this question of indirect taxation embraced a much larger area than that at which the Resolution pointed. The right hon. Member for North Northamptonshire (Mr. Hunt) had spoken about the malt tax. He (Sir George Jenkinson), however, believed that the malt tax pressed far more injuriously on the lower classes of the country than the sugar duties, and for that reason he felt the greatest unwillingness to hamper himself for all future time by any vote indicating that he thought the malt tax ought not to be repealed before anything else. Another reason why he could not support the Resolution was, that if the sugar duties were meant they ought to have been stated, and that the broad terms of indirect taxation should not have been employed. Moreover, if hon. Gentlemen on his side intended to have moved against the Budget, they should have done it at a different stage and in a different manner. Although the Chancellor of the Exchequer had used unjustifiable language towards the Opposition, yet he agreed with the hon. Member for Northumberland (Mr. Liddell) that the Resolution would lead to misconstruction in the country, which might suppose they were running the question of local taxation against the sugar duties only. The question of local taxation—one of the greatest questions now before the public—ought not to be raised in that way, by what appeared to be only a side issue, more especially as the House had decided by a majority of 100 last Session that the subject should be entertained and the hardships of the present system redressed. He, therefore, joined in the appeal made to the hon. Member for Westminster not to press his Resolution to a Division, because he should feel the greatest possible difficulty in voting with him. His side of the House had been asked what was their financial policy; but they might fairly retort by asking the Chancellor of the Exchequer what was his financial policy, seeing that the right hon. Gentleman had been saying and doing so many different things in so very short a time. His policy had been vacillating and uncertain in the highest degree. The right hon. Gentleman told a deputation who waited on him in regard to the malt tax that they had made a mistake in going to him, for he would have no surplus; adding that the tenants were put forward to fight the landlords' battle, and that they had no grievance unless they were owners. Three days after telling the malt tax deputation he had no surplus, the Chancellor of the Exchequer received a deputation of hotel-keepers, and he at once conceded the remission of £30,000 of taxation which they claimed. He mentioned this to show how differently the right hon. Gentleman treated an admitted claim of the agriculturists and one of the licensed victuallers. Not long afterwards the right hon. Gentleman announced that he had at his disposal £3,146,000. Was it, then, justifiable in him to tell the malt tax deputation that he would have no surplus? As to the sugar duties, three years ago the right hon. Gentleman said he would make a good sweeping change and then let sugar have rest, and also that he had gone as far as he intended and was not prepared for any further reduction of sugar duties. Now, he had made a further reduction, which pointed to ultimate remission. Why was not malt to have a turn in the remission of taxation? Because the Motion of the hon. Member for Westminster would shut the door against a reduction of malt duty he could not vote for it, and would join in the appeal which had been made to the hon. Member not to press the Motion to a Division. The local taxation question ought to be dealt with without further loss of time; but how was it we were now told by a Member of the Government they were not prepared to deal with it when they brought in a Bill two years ago, and were to have submitted their proposals that very evening? He had looked for the relief of local taxation to assessed licences locally collected, and, as Government had proposed to spare the house tax, which would chiefly benefit the towns, he proposed, as a fair balance, that the land tax should be given up with the house tax. Licences for public-houses, guns, and game brought in £1,507,550, and he would remark that these three items much concerned the duties and multiplication of the police. At present the Government paid a proportion of the cost of the police, and if they would commute the present allowance and give that sum, with certain other sums in addition, he thought a fair compromise would be effected, which would not result in much loss to the Imperial Exchequer. Licences on horses and carriages amounted to £840,835, and licences on dogs to £289,756. The whole of these licences amounted to £4,263,120. He could not help thinking that if a Government in search of relief for local taxation were to appropriate these licences, which were locally collected, and put them, in the different counties, in a county Schedule for county expenses, it would be found the best means of meeting the difficulty which was now complained of. The average amount of local rates was 3*s.* 4*d.* in the pound all over the country, the amount in towns being 4*s.* 2*d.*, and that in counties, 2*s.* 6*d.* Now if the persons who had to pay these amounts paid instead an income tax of 2*d.* 3*d.* or 4*d.* in the pound they would be great gainers by the transaction, and it was to be hoped that some mode or other of effectually dealing with this great question would soon be devised.

MR. TORR said, he wished to raise his voice in opposition to the mode proposed by the Government for paying the Alabama Claim. Being a great maritime and commercial nation, and as the depredations of the *Alabama* were, in a certain sense, committed in a commercial direction, he thought that it was unworthy of us, as a nation, to assent to such a settlement of the matter as that proposed by the Chancellor of the Exchequer. In his opinion, the first claim upon our surplus revenue was the payment of the Alabama Claims. What would be thought of a wealthy merchant resisting for several years as far as he could the claim of a brother merchant, and denying his liability, but at length having submitted the matter in dispute to the arbitration of the highest court that could be devised, and being condemned to pay a certain sum with costs, what would be thought of that merchant if, instead of paying the amount so awarded against him, and having ample funds in hand, he should propose to pay the debt in cash 10*s.* in the pound, and get his banker to discount his promissory note for the remaining 10*s.* in the pound. Well, what would be censurable in an individual would be equally censurable in a Government. He should enter his protest against any other mode of acting than the payment of this Claim out of the first surplus in the hands of the Chancellor of the Exchequer. Then as to the other proposals of the right hon. Gentleman, it appeared to him that it was most injudicious to devote a large portion of his surplus to the remission of the duty upon sugar, because he was convinced that the poor man would never receive the benefit of such reduction. The last reduction in the duty on sugar was 4*s.* 6*d.* per cwt. The poor bought their sugar in small quantities; but grocers varied their prices by half-pennies, never by farthings. The reduction last year was large enough to enable the grocers to give to poor purchasers the benefit of a half-penny per lb. But now the reduction was only 2*s.* or 2*s.* 4*d.* a cwt., and the grocer would not reduce his prices by one farthing a-pound. The reduction in the sugar duty, therefore, was a sop to the poor man, but would be no real advantage to him. Perhaps he might be asked how he would apply this £1,600,000 for the benefit of the poor? Surely there could be no better object than a reduction of local rates. For 15 years he had sat as a magistrate hearing the annual rate summonses when poor people were summoned for non-payment of their rates; and if any man wished to see what real poverty was, he should go to the court on some of these occasions. He had had before him as many as 200 cases a-day, and they made one's heart bleed to see the distress of the poor people who were thus summoned. As to the income tax, he did not condemn it in its higher, but he did condemn it in its lower ranges. Upon incomes of over £500, there was no tax less felt. Why not, then, reduce the tax by one-half on all incomes below £400, or if the Chancellor of the Exchequer could afford it, below £500? Instead of giving this relief to poorer payers of the tax, the Government had reduced it by 1*d.* upon all those subjected to the tax — rich and poor alike. Thus, with a splendid surplus, they had lost two opportunities of benefiting the poor and the comparatively poor.

MR. RATHBONE said, that from an ever-strengthening and growing conviction of the immense difficulties which beset the subjects raised by the Motion of the hon. Member for Westminster, he had always been most anxious that they should be approached with the utmost caution and deliberation, and that no attempt should be made to force the Government to adopt any immature or ill-considered plan. And even if he had not been before convinced of this, and if any further argument had been required to convince his mind on the subject, it would have been found in the evident state of chaotic unpreparedness with respect to it which had been shown during this debate by the Opposition. The gravamen of the charge brought forward by the mover of the Resolution was that the Chancellor of the Exchequer had not only put it out of his power to do anything for the relief of local taxation this year, but had also rendered it impossible either for himself or his successor to do anything next year. He (Mr. Rathbone) thought the hon. Member would have done well to have consulted some of his friends acquainted with commercial or financial matters before he ventured on the statement which he made to the House. His commercial friends would have told him that the experience of previous inflations and crises was, that when the country had entered upon a course of expansion and expenditure, when a crisis did come it was some time before that expenditure, in wages especially, could be stopped; and therefore that even if, as he hoped was unlikely, we had a crisis this year, there was no likelihood of the expenditure of the country, and consequently its revenue, being stopped this year in the way that he contemplated. Then, again, he threatened us with diminished revenue, owing to strikes which were to be caused by a fall in the price of coal. Now, he (Mr. Rathbone) thought his coal-owning friends would have told him that any fall that was probable in the next 12 months was more likely to have the effect of preventing strikes than of causing them. They would tell him that a comparatively small proportion of the advanced price of coal had gone in increased wages to the collier, and that a very considerable fall indeed in its price could take place and still leave the coal-owner a profit so largely in excess of the ordinary profit that he was not in the least likely to risk it by producing strikes resulting from the reduction of wages; while, on the other hand, any fall in price would, being known to the workmen, naturally prevent any attempts on their part for advancing wages likely to cause a strike. So that any fall that was likely to take place did not increase the likelihood of a strike arising from action on the part of the masters, while it decidedly decreased the likelihood of a strike arising from action on the part of the men. He had little fear that what, between the excess of the revenue beyond the Estimates and expenditure below the Estimates and sums received from repayment of loans, the Chancellor of the Exchequer would be able to pay the greater part, if not all, of the second half of the Alabama Indemnity out of the receipts of the year. But it was hardly necessary to argue this point, for the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) at once admitted, with his usual candour, that the hon. Member for Westminster was all wrong in this his main argument, for that nobody believed, except he presumed the hon. Member for Westminster, that the second half of the Alabama Indemnity would have to be provided for out of the Ways and Means of next year. But the right hon. Member in his speech seemed to contend that we ought not to consent to the reduction of the sugar duties till we received from the Government an understanding when they would abolish the income tax. But if to please the right hon. Member for North Devon we were to abolish the income tax, how were we to redress the injustice of which the hon. Baronet the Member for South Devon (Sir Massey Lopes) and those who thought with him—of whom he confessed himself one—complained, that the wealthy owners of personal property did not pay their fair share towards the burdens of the country. Almost the only thing clear in this debate, which had otherwise been confusion worse confounded, was that there was no such requirement on their side of the House as could enable them, if they defeated the Government, to come to the House with any definite proposal for the adjustment of local and Imperial taxation. The Government, on the other hand, had said that they did not see their way to deal with the question during the present Session. What, then, but confusion to trade and to the whole Government of the country could be sought by such a Motion as that? He most cordially agreed with the hon. Member for Brighton as to the extreme importance in any relief which they proposed to local taxation to guard it with such provisions as should prevent it from promoting waste, pauperism, and demoralization—nay, he had always contended that it ought to be given in such a manner as should prevent it from weakening in any way the interest in and habit of local government in this country. He had always believed that it might be so guarded; but he should be very sorry to see the Government forced to any premature declaration of policy, or to commit themselves to any immatured proposals. He believed, with the hon. Member for Brighton, that there was no man in the country, and rarely had been, so capable of bringing that question to a safe and advantageous issue as the Prime Minister, and that if his great financial ability were once concentrated on this subject, aided by the great administrative talent of the President of the Local Government Board and his Colleagues, we might really hope to see that great and difficult question worthily dealt with; but did anyone in that House believe, knowing the position which the Irish Education Bill occupied in the counsels of the Government during the last Recess, that the great subject had had the necessary concentrated attention from the Government and from its Chief, and did the House think it desirable that that wide and difficult subject should be undertaken by the Government before it had had that attention? Though he had argued with the hon. Baronet the Member for South Devon that the time had arrived at which the very large and of late years rapidly-increasing burden on the ratepayers should receive some sensible relief—though he was prepared to contend with him that some of that relief would probably advantageously come in the form of direct grants from the Imperial Exchequer, conditional on efficiency; yet he thought there was another source from which that relief must be sought—a source to which he attached, if possible, greater importance, he meant the relief which could be worked out by improved administration in economizing the funds and diminishing the calls upon them. As it was one of the most important duties of the Government to promote independence and forethought on the part of the working classes, he begged to suggest that Her Majesty's Government should complete the work they had already commenced by establishing savings-banks and life insurances, by setting up a National Provident Institution, when it might become a question worthy of consideration whether a man should not be allowed to pay to such an institution the sums he was now called upon to pay to the poor rates. He hoped that the House would mark its sense of the mischievous character of the Resolution by refusing to allow its withdrawal; it should be met with a direct negative.

LORD GEORGE HAMILTON said, he was not at all surprised at the remarks which had fallen from the hon. Member who had just sat down, because he had gone further than anybody else in proposing to tax personalty for local purposes, and yet whenever a division was taken on the subject he always voted against his own proposal. A distinguished Member of the Liberal party had once been kind enough to inform the Conservatives that they were stupid; but had he been in the House throughout the present debate his sense of justice would have compelled him to have applied that term to his own party. Three out of every four hon. Members who had spoken on this subject from the opposite benches had declared that they were unable to understand this Resolution, and yet they had endeavoured to put upon it a construction which those who sat on the Opposition benches, and who did understand it, wholly repudiated. The hon. Member for Brighton (Mr. White) had been the greatest offender in this respect—he had stated that he did not understand the Resolution, and his remarks on it perfectly justified his observation. But he then went on to characterize the Motion as "ineffably mean." If the hon. Member wished to use strong language it would be better for him to apply it to something which he did understand, and not to what he acknowledged he did not understand. What was the real effect of the Resolution? The hon. Member for Westminster (Mr. W. H. Smith) asked the House to request Her Majesty's Government to place before them their views in reference to the maintenance and adjustment of taxation, both Imperial and local, before they permanently remitted a large amount of indirect taxation. He hoped that Her Majesty's Government would give a plain and intelligible answer to that demand. This suggestion had reduced Her Majesty's Government to the greatest straits, and, consequently, they had put up the Chancellor of the Exchequer on the first night of the debate in the disguise of "the poor man's friend." As might have been anticipated, the right hon. Gentleman overplayed the part, for he had commenced it rather too late in life to play it with much chance of success. All who heard him deliver his speech on Monday night could not help feeling that he undertook the part, not because he cared for the poor, but because he carried the bag. It was only two years since the right hon. Gentleman had proposed to impose the heaviest indirect tax, considering its proportion to the value of the commodity on which it was to be raised, that had ever been suggested. If the match tax had been imposed a large trade would have been utterly annihilated, and a large number of persons of the very poorest class would have been reduced to beggary and starvation. Under these circumstances, it was unwise of Her Majesty's Government to put up the Chancellor of the Exchequer as the poor man's friend. The Government appeared to have no idea of the strength of the movement that was going on in London, and in other large towns, with regard to local taxation—a movement that was supported principally by the poor middle-class householders. Those persons might be, in the opinion of the Chancellor of the Exchequer, "either saints or idiots;" but such language would in no degree deter them in the course they were pursuing. A conference had been held at the Cannon Street Hotel of persons from all parts of London who were interested in the subject of local taxation, at which it was unanimously determined that the right hon. Gentleman the Prime Minister should be requested to receive a deputation on the subject. Unfortunately the public duties of the right hon. Gentleman had prevented him from receiving that deputation; otherwise he would have obtained information on the question which might have been of great value to him. Three things had been distinctly proved in connection with this subject. First, that the rates in towns were much heavier than they were in the country; secondly, that in towns the rates mainly fell upon the occupiers; and thirdly, that the vast majority of occupiers in towns were poor persons. It was therefore clear that the greater portion of the local taxation fell upon poor persons who occupied houses in towns. A very curious argument had been used in reference to this subject. The hon. Member for Brighton appeared to argue that because the grievance of towns was greater than that of the country, therefore that neither should be redressed. If, however, the sum spent in improvements and for reproductive purposes were taken into account, it would be found that there was not much difference between town and country. The First Lord of the Admiralty found great difficulty in meeting the case for local remissions, and the brilliant idea accordingly occurred to him of writing an elaborate Report to set town against country. The right hon. Gentleman had, however, overshot the mark, and town and country were now united like the twin principles of taxation described by the right hon. Gentleman (Mr. Gladstone), never to be disunited again. The remission of taxation proposed to be given by the Budget would by no means give so much benefit to the poorer classes as a judicious remission of local taxation, and he trusted that before the debate ended the Government would give a plain and intelligible explanation of their intentions. Last night the First Lord of the Admiralty insinuated that the proportion of local taxation contributed respectively by town and country was as seven to three, and that the object of the country party was to get a remission of 1*s.* all round, so that the proportion to be paid by the country might be 2*s.*, against 6*s.* paid by towns. All that he would say in reply was that whatever might be the remissions made in local taxation the country would only ask for a remission proportionate to that made for the towns. They would not ask for more, and it would not be fair to offer them less. The Government might attempt to ignore a social movement which last Session converted their majority of 98 into a minority of upwards of 100; but they would not find it easy to do so. In the year before his hon. Friend (Sir Massey Lopes) carried his Resolution, he (Lord George Hamilton) moved a clause in the Army Bill, providing that the cost of maintaining barracks for Militia stores should be transferred from local to Imperial sources. He found himself in a minority of only 2 in a full House, and he had reason to know afterwards that if hon. Gentlemen had only understood the question upon which they were dividing he should have been in a considerable majority. There was, however, no question as to the feeling of the House, and the Secretary of State afterwards embodied that very proposal in a Bill which transferred the charge of these barracks to the Imperial Exchequer. It would not be wise for any Government to ignore this movement, and it would be especially unwise for a Government tottering to its fall. The Chancellor of the Exchequer had addressed the Opposition in terms which, as a young Member of Parliament, he hoped never to hear again. He very much questioned the advantage of a classical education if it would not make a man express himself in terms less coarse and more polite. He should not like to reply to the Chancellor of the Exchequer in words similar to his own; but he wished to remind the House that in a speech made by the right hon. Gentleman about three years and a half ago, in addressing an audience in the West of England, he pointed out that there were certain duties incumbent upon the Opposition, and that one of them was "to moderate the insolence too apt to be engendered by great prosperity." If the Chancellor of the Exchequer were correct in that definition of the duties of an Opposition it must be admitted that in one individual case they had lamentably neglected their duty.

Sir TOLLEMACHE SINCLAIR said, he appreciated the reduction of the sugar duties, but he hoped the remission of all duties on tea, coffee, and sugar, would have precedence of any contribution to local taxation out of Imperial resources. The working classes had a right to a larger share in the remission of taxation. It had been computed that the average consumption of alcoholic drinks by British workmen was no greater than in France, and he was inclined to think that the increased consumption of spirituous liquors during the past year was owing to a more equal distribution among a larger class. The repeal of the tea and sugar duties would benefit the lower middle class more than a reduction of the income tax, on which they were allowed a deduction. If the duties on tea and sugar were repealed, it would, to that class, be equal to a reduction of 2*d.* in the pound on the income tax. He regretted that the Chancellor of the Exchequer had not preferred to reduce the duty on tea. It was said that the Budget disturbed the balance between direct and indirect taxation; but while the Opposition strained at the gnat of the sugar duties, they swallowed the camel of the repeal of the malt tax. There was no reason why any portion of the Alabama Indemnity should be paid out of the surplus of the present year. He regretted that the income tax had been reduced instead of some of its injustice having been removed. It was not levied on one invariable plan, as farmers were only assessed on half their rent in England and on one-third in Scotland, whilst their profits were often much greater, and certain classes were clearly entitled to some remission. Complaint had been made that no margin was left for the remission of local taxation; but the Chancellor of the Exchequer could not foresee what would be the result of the debates on local taxation, which would probably occupy a great part of the remainder of the Session. He hoped the Government would adhere to the proposal they had made, to give the house duty in aid of the local rates. He knew a man worth £100,000 who lived in a house at £18 a-year, and he paid no house duty for many years. If this tax were made over, probably the claim made by the hon. Member for South Devon (Sir Massey Lopes) would be satisfied. From inquiries he had made, he felt sure that those who occupied palatial residences escaped by paying one half of what was due from them. He was glad that the poor rate in the east of London had doubled, for he was sure that not a penny too much was laid out on the maintenance of the poor. He suggested that each proprietor should be compelled to give a return of the true value of his property, as he had to do with respect to the income tax.

Mr. CLARE READ said, that in the early part of the Session some hon. Members believed there would be this year an heroic self-denying Budget, while a still larger number believed that there would be an honest one—using that expression in a polite and Parliamentary sense. But the old adage of being just before one was generous applied to nations as well as to individuals; and though the hon. Baronet who had just sat down would like to make posterity pay the Alabama Claims, he (Mr. Read) thought they ought to be paid at once. In future years the result of the Geneva Arbitration might be that neutrals would find it cheaper to go to war than to preserve peace. The Government were under two guarantees with regard to the Budget—a moral one to pay the Alabama Claims out of the proceeds of this year, and an absolute bond to provide for some expenses of local taxation; and, as the House was deprived of the pleasure of paying the debt the hon. Member for Westminster (Mr. W. H. Smith) was justified in proposing his Motion. It was a somewhat unfortunate one, because it banded together the Ministerial party, and this local taxation question ought to be as little of a party one as that of woman suffrage. This was not a local taxation debate at all, but a debate on the financial policy of the Government. The hon. Member for South Devon (Sir Massey Lopes) and himself had never asked that personal property or stock in trade should be rated, nor for any contribution to the outdoor relief of the poor, nor was there in poor law administration much to be asked for, unless it were some of the establishment charges. They had never asked for contributions to local rates levied expressly for local convenience and improvement, and under local control; but they had asked for some relief in respect of the police, of lunatics, and the administration of justice. Government had made many excuses, one of which was that they would not act rashly; if so, how they had changed in a few years! In 1871 the First Lord of the Admiralty told them their case was a most urgent one, and the year before that, when a Commission was asked for, the Government said—"We will be your Commission; we want no inquiry; we are masters of all the details." Now the Secretary of the Treasury said neither the Government nor any one else was aware of the magnitude of the subject, or prepared to deal with it. If we were to wait for a really perfect scheme we must wait a long time. A recent Return showed that, of the £1,640,000 of the county rate, the magistrate had control over the small proportion of £339,000. He hoped the property tax would never be abolished, but he wished to see its incidence more equitable and its assessment less irritating and annoying, and he regretted that the right hon Baronet the Member for North Devon (Sir Stafford Northcote), if he sounded the Opposition trumpet, had not given a more certain sound. The Chancellor of the Exchequer had complained that his Estimates had been discredited, but he would remind the right hon. Gentleman that for three years past his Estimates had been all wrong and his critics all right. He hoped the recent Estimates of the right hon. Gentleman would not be found to have been based on an inflated prosperity, and that no dulness of trade or any other cause would stand in the way of his realizing his anticipations. A short time since the right hon. Gentleman received a deputation of innkeepers, and because he could not answer their arguments, he gave them, as he said, £30,000. When, however, a deputation waited on him to ask for a reduction of the malt tax, he gave them an answer based upon fallacies and misrepresentations, which was worse than no argument at all. The right hon. Gentleman said that the surplus was more imaginary than real. But surely a surplus of £4,500,000 was a reality. No doubt at that time the right hon. Gentleman intended to pay the whole of the Alabama Indemnity. The Budget he had since brought in was not the Budget he had contemplated proposing. It was said that the farmers of England were put up by the landowners to demand a remission of the malt tax. They were not. It was the farmers made the demand, and it was one which in justice ought to be yielded. Again, it was said that the farmers really did not pay that or any other tax, for that all these taxes were paid by the landowner or by the consumer. Well, if the consumer paid the malt tax the working classes had more interest in its being remitted than in the lowering of the duty on sugar. They would be more benefited by cheap beer than by cheap sugar, for cheap beer would serve the cause of temperance, while the profit to be derived by the lowering or total abolition of the sugar duties would go, as Mr. Dudley Baxter had shown, into the pockets of the merchant and the retailer. That was not the time to discuss the claims of the agricultural classes to a remission of the malt duty, but he hoped his hon. and gallant Friend the Member for West Sussex (Colonel Barttelot) would take an opportunity, before the Budget was finally disposed of, of eliciting by a Division the opinion of the House in reference to those claims.

COLONEL AMCOTTS believed that the merits of the Budget very considerably exceeded its demerits, and he was not prepared to fix an indirect Vote of Censure upon a Government who had, in his opinion, deserved well of the country. He must, however, at the same time, tell the truth and shame the Evil One. There was one thing with respect to the Budget which he deeply regretted, and that was the fact that there was no mention whatever in it of, and no preparation made to give effect to, the vote which had been carried last year by a majority of 100 with respect to local taxation. As to the allegation that it was a "snap" division, he had never known a more deliberate debate and decision, and the Resolution was supported by Members on both sides of the House. The hon. Member for South Devon (Sir Massey Lopes) brought forward no new principle. He simply enunciated an old principle. At the time that the principle of granting Treasury allowances was brought forward by the late Sir Robert Peel, and when the Corn Laws were repealed, all that was proposed by the hon. Member for South Devon was that further assistance should be given to lunatic asylums, the police, and administration of justice, and he was very glad to have an opportunity of seconding it, well knowing what was the feeling of his constituents on this now great and important question of local taxation. He regretted that the Government had, as far as was yet known, taken no notice of the decision, and he thought that the Prime Minister had therein hardly done justice to his party as respected the appeal to the country which must ensue before very long. The Liberal party having been united in supporting the great measures which the right hon. Gentleman had carried, he should not have overlooked a matter so small in detail and so great in principle. He feared that the result with the Liberal party would be that when they were weighed in the balance in the matter of local taxation Her Majesty's Government would be found wanting.

MR. DISRAELI: Mr. Speaker—The right hon. Gentleman the Chancellor of the Exchequer, on the last evening of this debate, expressed his surprise at the Motion brought forward by my hon. Friend the Member for Westminster (Mr. W. H. Smith), and said he could not understand what was its object. Now, I confess that, in considering that Motion and the circumstances brought before us, it appeared to me to be a Motion reasonable, natural, I would say even forced upon the attention of any one occupying a position similar to that of my hon. Friend. It is universally acknowledged that this country is at the present moment in a state of great prosperity; that the wealthy are very wealthy; that the labouring classes are in the enjoyment of higher wages than probably at any period of our history have been received by them; and that that high rate of wages has been combined with less toil than they have hitherto been subjected to. And yet there is no question that a considerable portion of the population of this country, a very large class, a class entitled in every sense to our respect and consideration—classes, I may say, that we have been accustomed to look up to as the very marrow of our population, and on whose sense of order and reverence for law we have greatly depended for the security of the Commonwealth—are in most straitened circumstances; that they feel even intensely the pressure of taxation, and that their condition is aggravated, if not occasioned, by the high prices which now prevail, caused by that very prosperity which has made the rich more rich, and which has given to the working classes that welfare which is universally admitted to exist. We know, too, that this class prevails in our great towns, and especially in this metropolis—a city of cities, an aggregation of humanity that probably has never been equalled in any period of the history of this world, ancient or modern. My hon. Friend represents a portion of this metropolis—itself a city—in which he must know from his own experience that a considerable portion of his constituents are now suffering from the pressure of taxation, and from the manner in which the taxes of the country are raised. Now, if that be a true account of the circumstances in which my hon. Friend is placed, I am surprised that any one in this House should rise and express his astonishment that my hon. Friend should bring forward a Motion of this kind on an occasion like the present. And what is that occasion? At this period of prosperity, when the wealthy are in the enjoyment of an unrivalled degree of wealth, and when the most laborious portion of the nation are in the possession of a degree of comfort they have never before attained, yet a period when there is a portion of the country suffering from the pressure of taxation, the Minister to whom is entrusted the management of our finances comes before us to tell us he is in the possession of a large surplus which he is about to distribute, according to his view, for the best advantage of the country; and the class that is suffering, the only suffering class, finds in the propositions of the Government that their situation is not considered, and their needs are not apparently before his mind. Well, then, I say, instead of being a surprising and unreasonable course, it was a natural course for the hon. Member for Westminster to come forward and ask us to pause before coming to a final decision—to beg the Government, in language which I maintain is temperate language, to pause a moment to hear his case. What he says is—do not decide in a hurry; we have confidence in your sense of justice, in your patriotism—for which I give our opponents as much credit as I claim for this side of the House. Consider the case we would place before you; and before arriving at an ultimate decision consider calmly whether you cannot modify your propositions in such a manner as may give to those who, and who alone, in the country are suffering some remedy and some relief.

It is extraordinary that a Motion of this kind should immediately be stigmatized as a Vote of Censure on the Government. We are, I am sorry to say, too much accustomed to such remarks from Her Majesty's Ministers, and I wish Gentlemen on both sides well to consider this habit which the present Government have of viewing every independent movement on the part of the House of Commons as a Vote of Censure. It is a habit really fatal to all Parliamentary independence, and if it is allowed to pass without comment and unchecked I really see very little use in the House of Commons ever assembling. A Vote of Censure we have heard of before. I have on other occasions attempted to vindicate the independent right of this House to express its opinion upon great subjects of policy without its being supposed necessarily to involve a Vote of Censure or Want of Confidence in the Government. But of all questions, questions of finance are ever held to be subject to independent criticism on the part of the House of Commons, and the utmost indulgence is shown to the feelings and suggestions of hon. Members, because, under such circumstances, it is known that they are acting under the immediate impulse of their constituents. Thus it happens that the feeling of the House of Commons is never more accurately or sincerely represented than on financial questions. I therefore feel the greatest regret that any Member of the Government should have been so ill-advised as to have risen immediately after the introduction of a Motion so justifiable as that of my hon. Friend the Member for Westminster, and which had been recommended to the House in terms so moderate and well considered, and attempt to meet it by the common-place, but still effective, accusation that it was intended as a Vote of Censure on the Government, as if the endeavour to induce them to modify their financial proposals, made with the utmost respect by my hon. Friend, and authorized by circumstances of such commanding and peculiar interest, deserved to be stopped by such an imputation. The hon. and gallant Gentleman who has just addressed the House distinguished himself last year as a participator in a victory in which certainly no party feeling was involved, and by which the complaints of the undue weight of taxation of a peculiar character was vindicated in this House by a large majority. But even the hon. and gallant Gentleman rises up behind the Minister, and while he makes a speech which, if it means anything, is a speech in opposition to the financial propositions of the Government, tells us he must forfeit the position which he so honourably acquired last year, and which, by his own admissions, recommended itself to his constituents, because he is obliged to vote against the Amendment of the hon. Member for Westminster, which, though couched in the most moderate language, the hon. and gallant Gentleman looks upon as a Vote of Censure on the Government.

Let me touch before I enter on the merits of this question — and I think I shall be able to show the House that it is a great question—on the circumstances under which it has been introduced, so far as they refer to the charge which has been made against this side of the House — that it has not been brought forward at the right time, and that it has been brought forward too late. "It is too late," said the learned Professor the Member for Brighton (Mr. Fawcett). "It is too late to discuss a Budget which was brought forward before Easter." Now, it is very true the Budget was brought forward before Easter. But how long before Easter? It was announced by the Prime Minister that the Budget would be introduced the day before the Easter holidays, and an hon. Gentleman who sits on the other side of the House rose immediately after that announcement was made, and urged the great inconvenience of the adoption of that course. He appealed to the right hon. Gentleman, saying it was impossible to decide on the propositions of the Government at a moment's notice, and protested against the course which the right hon. Gentleman had indicated, inasmuch as the House might be committed to a policy which on reflection it would not approve, merely because of the technical circumstances under which the Budget was introduced. With that candour which always distinguishes him in the conduct of the Business of the House, the right hon. Gentleman thereupon arose and said it was for the convenience of the public service that the Budget should be brought forward the day before the adjournment for the holidays, but that he could assure the hon. Gentleman that it should not in the least affect the judgment of the House, for not a proposition would be made, not a vote would be asked for under the circumstances, that would at all be considered to pledge the opinion of the House. What, then, let me ask, becomes of the charge that it is too late to discuss a Budget which was brought forward before Easter? Why, so far as this House is concerned, we had to consider the subject after Easter, not before. The Budget was introduced by the Chancellor of the Exchequer, and that desultory conversation followed which seems to me to be the most unprofitable form of Parliamentary discussion. We then adjourned, and the Government named the Thursday after the Recess for the consideration of the Budget. On that day, before the Public Business commenced, my hon. Friend the Member for Westminster gave Notice of his Motion. How was it possible, if we were to discuss the financial proposals of the Government—and what is the use of the House of Commons if it does not discuss them—that earlier Notice could have been given of the intention of my hon. Friend to invite the attention of the House to the subject?

Let me now say a word on the causes which have induced a great portion of the constituency of Westminster, and a very large portion of the people of England, placed in the same situation and represented on this occasion by my hon. Friend, to urge the adoption of the course which he has taken. My hon. Friend wishes to induce the Government to consider the claims—I will say the sufferings—of a great portion of Her Majesty's subjects which are occasioned, in his opinion and in theirs, by the action of two particular arrangements of our financial system, the first of which is the income tax. That is a tax which presses on them with great severity. Its administration has of late become strict and severe. Vexatious and inquisitorial it has always been; but there is a mode of administering all laws which in some degree mitigates their incidence. That, however, has not been the character of the administration of the income tax of late years. The classes on whom it falls find it oppressive at a time when the rise of prices in the country naturally rendered them more sensible of it. It appears there are also many among the wealthier classes who are not insensible to the peculiar incidence of the income tax at the present day, for those of whom I am speaking were encouraged by finding that the merchants, bankers, and leading men in the City and in other civic communities were meeting together to denounce the tax and its administration. They naturally thought, therefore, that Her Majesty's Government, if they had an opportunity, would consider the present position of the income tax, its administration and incidence, and that they would obtain some relief in that respect. It was not so much remission of taxation, which, of course, we would all only be too willing to accept; but they thought that Her Majesty's Government would have an opportunity of considering whether it would be possible, without compromising the vital principles of the tax, to mitigate the evils of its administration, and to render its incidence less strict and severe. They knew very well that the income tax had been introduced as a matter of great policy in order to reform our tariff. They saw—as many have for several years been observing—that the income tax, instead of being an instrument for reforming our tariff, had commenced to be an instrument to destroy it, and that under the influence of the income tax other sources of revenue were constantly disappearing. Suffering as they did under the incidence of this direct taxation—taxation originally introduced for temporary purposes—they very naturally became alarmed; and under these circumstances they looked with confidence to the Government—if they had an opportunity—of considering this question in a large and becoming manner, and giving them some relief. But there was another subject which was even more in the minds of the constituency of my hon. Friend—as I believe it was in some degree in the minds of the constituency of every hon. Gentleman on either side of the House—which every year assumes a more alarming and offensive character, and which every year excites their anxious thoughts—I allude to the system of local taxation in this country. The increase and accumulation of rates, and the fact that the progress and advance of the nation indicate that there must be a large and progressive increase in this form of taxation not only alarmed but distressed a class already struggling under great disadvantages. They were encouraged by the vote that the House had arrived at by a commanding majority on the Motion of the hon. Member for South Devon (Sir Massey Lopes), seconded by the hon. Member who has just addressed us (Colonel Amcotts)—they were encouraged to believe to the amount of conviction that the Government, if they had an opportunity, would largely and completely deal with that the greatest source of their distress and disquietude. Now, I must call the attention of the House—and I will do it with as much brevity as I can command —to the real character of this question of local taxation; for I have been surprised that in this debate, in this House of Commons, even after the debate and the vote of last year, such erroneous views should be entertained of it. Sir, I can speak on this subject with some personal experience. I remember very well the day when the subject of local taxation first began to command the attention of the House of Commons. The Corn Laws had been repealed. There had been—whether from the repeal of the Corn Laws, or from casual and accidental circumstances I will not now stop to inquire, because I wish on this occasion to avoid anything approaching to controversy—considerable suffering in the agricultural districts. There had been such a fall of prices that there had been throughout England a fall of rents; and therefore at that time the agricultural interest was extremely sensitive to what has since been popularly called local taxation. But at that time it so happened that the Government then embarking in that system of social improvement which has since been maintained, and will not, I hope, be for a moment deserted, called on the payers of local taxation, and especially on the landed interest, to embark in the construction of buildings of a very costly character, which they were called on to erect by large sums of money raised on the security of the rates; and the affair became of so serious a character that an hon. Gentleman, then a county Member, called on the House to consider the question of local taxation with a view to a remedy. No doubt at that time the landed proprietors were most interested in the subject; but it is a mistake to suppose, though that error has circulated in this debate, that under any circumstances, and at any time, the proprietors and occupiers of land ever came to this House to ask for relief solely for themselves. They asked for it for real property—for property in land and houses—and therefore, of course, in towns. They placed this case before the House. They said—"Here is a very large sum we are called on annually to contribute for purposes which we maintain are strictly national, and the means to accomplish these national purposes are levied from a part of the property and income of the country which represents in round numbers, only one-eighth of the whole." This flagrant injustice never was questioned in the House; but it was a very convenient thing for the Government to evade an appeal likely to disturb the finances of the country; and, as it appeared that only the owners and occupiers of land were then much interested, it was evaded. But it was felt at the time by those who understood the question that, as time advanced and these rates increased, the towns would feel that they had a brother grievance with the land. So it has happened, and of late years the rates in the towns have exceeded the burden of local taxation on the land; and the right hon. Gentleman the First Lord of the Admiralty, who is master of the subject, and therefore speaks on it with authority—though it is not very intimately connected with the naval service—the right hon. Gentleman seemed to feel he had a triumphant argument on the subject of local taxation if he proved that the towns paid more than even the land; but I say every instance he adduced and every argument he offered only proved still more strongly the case against him. Well, this question, which might be parried and evaded so long as it was supposed by the country merely to concern a particular class—the class connected with the land—grew every year more urgent and more important; and seven or eight years ago it was a question which no Government could neglect. When the Government of Lord Derby was formed evidence was placed before us which proved that the settlement of that question could no longer be neglected. We had other business to deal with; and I think that was a fair excuse. We had a great nut to crack; but had we remained in office it would have been the first subject that would have engaged our attention. What is more, I will venture to say—and I think I shall be able to prove it—when the right hon. Gentleman opposite found himself in our position, although he had great measures also to conduct, the affair of local taxation was so pressing that he could not for a moment disregard it. No doubt the Irish policy of the right hon. Gentleman engaged the attention of Parliament to that degree that it was not absolutely necessary to bring forward a measure on local taxation; but I will show you that the subject was pressing; for immediately after the formation of the present Government—at the end of the Session of 1869—an hon. Gentleman—I am not sure that it was not the hon. Baronet the Member for South Devon—immediately addressed a Question to the Government, and he was answered by the First Lord of the Admiralty, then President of the Poor Law Board—to whose Department, of course the matter belonged—the right hon. Gentleman acknowledged that the question was one of the greatest and most urgent importance; and whatever might be the engagements of the Government at that moment, he assured the hon. Baronet that the question occupied the attention of Her Majesty's Government; they were taking steps to obtain, through the Inspectors of the Poor Law, certain information which was absolutely necessary with reference to the areas of taxation and the new system which was to be introduced, and when answers had been received from those Inspectors the Government should consider the whole question. This proves that even at the time when the unhappy disestablishment of the Irish Church and other questions of the same kind were looming in the future, the Government knew well from the pressure of local taxation on the country that it would be impossible to neglect the question. That was in the year 1869, the moment the present Government stepped into office. In 1870, the year afterwards, the Minister charged with this business, the present First Lord of the Admiralty, took an early opportunity to say that he had received all the Reports of the Inspectors—I am speaking from memory, not from extracts—because it is disagreeable to throw *Hansard* always at the heads of those we address, but I know I am tolerably accurate—the right hon. Gentleman announced that the Government had received their Reports from the Poor Law Inspectors upon the leading question of the area of assessment; and when they had digested them, as they were earnestly doing, they would state the course they would take, and very shortly afterwards he said he was about to propose a Committee on the subject. He proposed a Committee in a speech which showed that the right hon. Gentleman was completely master of the subject. An abler speech never was delivered in this House on a matter of that kind, and it was a great satisfaction to know that the question was in the hands of a Gentleman who was able to deal with it. That was in 1870. Well, the Committee sat and we received from that Committee a most valuable Report, and many other Papers illustrative of the policy recommended and the circumstances of the case, forming a fund of information seldom equalled in our Parliamentary literature on any question. The Committee having reported and the matter being in the hands of a competent Minister, that competent Minister came forward and proposed a measure on the subject. That was two years ago. Some disapproved the suggestions which the Cabinet made to remedy this great evil. The matter was never fairly brought before the House for discussion, but I will not enlarge upon that. It was perfectly open to the House on either side to question the inferences drawn from the premises of the right hon. Gentleman. The remedial scheme in the opinion of the House of Commons might have been most injudicious and totally inapplicable — I do not say it was, but it might have been —but no one can deny that the premises were sound and complete. No one can for a moment maintain that the Ministry having brought forward a plan, however unfortunate and unsatisfactory that plan may have been, did not make themselves masters of the subject. This was in the year 1871. Well, nothing was done. A year, another year elapsed, and nothing was done; and this year the subject is mentioned in the Queen's Speech. The pressure of local taxation has increased and been aggravated in every part of the country. We have since the inception of the investigation of this subject by Her Majesty's Ministers passed laws upon laws that have increased the pressure of local taxation, and now, the matter having been mentioned in the Queen's Speech, nothing whatever is proposed by Her Majesty's Government. My hon. Friend the Member for Westminster—who represents a body of constituents, unfortunately resembling many in this country, who acutely feel the pressure of rates—asks, in the Motion which he has brought the gre. the Government to pause for a disquietad consider the statements that tentioren made, and say whether they withot meet the exigencies of the case, and offer some satisfactory solution of these difficulties. Well, what is the answer of the right hon. Gentleman the Chancellor of the Exchequer? I will not criticize the answer of the Chancellor of the Exchequer with the severity with which it has been criticized by many hon. Gentlemen. I do not view that answer in that spirit of indignation which has pervaded the House. The answer of the Chancellor of the Exchequer was certainly expressed in language and conveyed in a manner to which we are not used in this House. But I take a more charitable view of it than my hon. Friends. I look upon it rather as an indication of what may be the juvenile ardour of some primitive Assembly, which has inherited, and I hope may excel, the traditions of our Parliament. It is not every one of us who has had the good fortune of dwelling in the Antipodes, and I was glad to learn, from the experience of the right hon. Gentleman, how a Parliament of that kind, which must naturally interest us deeply, would meet a claim from the aggrieved subjects of Her Majesty for some relief from unjust and oppressive taxation. What says the Chancellor of the Exchequer? He says — This business of local taxation is a subject on which you are speaking with the greatest familiarity and rashness. It is a question that nobody knows anything about. It is difficult — it is full of anomalies. Good God! says the Chancellor of the Exchequer, you must first of all scrutinize those horrible exemptions, and then there is another thing you must do; you must inquire how you can establish an adequate area of taxation under the new system. And so he went on. Why, they must have done that four years ago. It must be remembered that the Cabinet which introduced the Bill of 1871 had for two years been collecting this information; for, by the admission of the First Lord of the Admiralty, they received in 1870 answers from all the Inspectors of Poor Laws on this very weighty subject of the area of assessments, and as we all know from the admissions of Ministers they had long given their attention to the subect of these horrible exemptions. Why, Sir, this is trifling with the House. There might have been some grave reason—and perhaps hereafter I may advert to it—which might have authorized Her Majesty's Government, if they met the House of Commons frankly and fully on this subject, to postpone for a Session a matter of this great magnitude. We had evidence that for four years Her Majesty's Government had their mind intent upon this subject; that for two years they had been storing knowledge; that two years ago that knowledge bore fruit in their councils, for they brought forward a large and comprehensive measure, the policy of which may be questioned; but the premises, the sound information upon which that policy was founded, was never for a moment disputed. But if after four years have elapsed, if after all that has occurred in this House, and after the majority of 100 last year we are to be told now by the Chancellor of the Exchequer that the Government know nothing at all about it, that they must begin to inquire, commence their studies and investigations of a subject which those who have studied and investigated it know is one of a profound and complicated character—I say the situation is desperate. What hope can we give to our constituents, who, as far as finance is concerned, care for this question and no other? What hope can we give, what expectation can we hold out of the settlement of this question which engages the feeling of the country so much that, like all questions of the kind, we have agreed it shall not be a party question, and the hon. Gentleman who has just addressed us has himself most clearly expressed that opinion? How, I say, are we to meet our constituents and give them any prospect of relief in this matter after the admissions of the Chancellor of the Exchequer? And when we take our present course—a course which I hope before I sit down I may induce the House on both sides not to view in the light in which the acrimonious language of the Chancellor of the Exchequer has painted it, but which I hope to show is a temperate and reasonable course—a course required by the country and to the verdict upon which, however it may go, depend upon it, the country will look—how are we met by the Chancellor of the Exchequer? He says—"What do you mean?" I will not say he said it rudely. I will not resent his having accused an assembly of English Gentlemen of being influenced only by greed and selfishness, because I have indicated the school in which these expressions probably were learnt. But the Chancellor of the Exchequer says—"What is to happen if you carry this Resolution?" Well, that which might happen if we carried this Resolution might be what happened before—it is not the first Budget of the Chancellor of the Exchequer that has been humbly criticized. This is not a Budget that has been received with indignation and treated with contempt. It has been treated, I think, with reason and courtesy. The Chancellor of the Exchequer asks us what will happen? I say that will happen, probably, or might happen, which happened before. The Chancellor of the Exchequer will take back his Budget; he will reconsider it; and he will give us a Budget which may unanimously pass, and which may in some degree satisfy the country. The Chancellor of the Exchequer did, indeed, proceed a little further, for he said—Are we to have another crisis? Are we to have another fortnight spent in passing to and fro? Well, Sir, so far as this side of the House is concerned in the waste of the public time, which I always regret under such circumstances, I do not think this side of the House is particularly guilty. So far as the waste of the public time in the late crisis, we are responsible only for a small hour—a short hour; and therefore I look upon the exaggerated view of the Chancellor of the Exchequer as a personal attack upon his Colleague and his chief. It is not the first attack that he has made on the right hon. Gentleman. The right hon. Gentleman does not need me to defend him; he bears it like an angel; but the hour will perhaps arrive when he may vindicate himself with diabolic vengeance.

There is one point which I wish to impress much upon the House. The Chancellor of the Exchequer told us the other night — it was the financial principle upon which his speech rested, and it is now accepted as the financial principle of his Administration — that indirect taxation was paid by the poor and direct taxation by the rich. Before I enter into that question, allow me to remind the House of an important consideration. The local taxation of the United Kingdom now amounts to £25,000,000 a-year, and I believe the moiety of that is raised from those who contented with the system of taxation which at present prevails, or with the general system which regulates the revenue or even the property of the country? I have heard some propositions which are dangerous, but silly, respecting the tenure of land. I have heard some absurd schemes to regulate the national revenue and taxation. But they have never come from the working classes. They have come from addlebrained Professors. They are the men who abound in solemn platitudes, and who certainly, if they had their way, would destroy any country and any Constitution. I protest, therefore, against the argument of the Chancellor of the Exchequer that we are to reduce indirect taxation, though that reduction may benefit the working classes to an amount they would despise, because they are now invested with political power, and we fear they may abuse it. What evidence is there that the working classes have ever abused their political power? [*Ironical cheers.*] I am ready to repeat that observation. I keep my eyes upon these affairs. I have seen some absurd statements made by individuals, made by all classes, but I say with satisfaction and confidence that there never has been, on the part of the working classes, any such stuff talked about finance as I have heard from Ministers of State. In my mind the right hon. Gentleman has made a great mistake as to the working classes. It is not the first mistake he has made on the same topic. Having suddenly determined to become a patron of the working classes, he supposes that the only things they are thinking of are matters of finance. No doubt that 30 or 40 years ago there was a pressure upon the working classes of this country. Whether it was occasioned by our financial system or not, they were discontented and expressed their discontent. But the working classes perfectly understand our present tariff, and know that it is a tariff which, on the whole, is framed with a due consideration for their interests. And we should be fools if we did not consider their interests, for if—so far as depends upon the Legislature—21,000,000 of people belonging to the working classes are not placed in a satisfactory condition, what becomes of the country? The right hon. Gentleman seems to think he will command the sympathies of the working classes, whose sympathies he has not yet successfully obtained, by reducing the price of their sugar by a farthing in the pound. I presume to think—and hope it is not presumptuous to think so—that I know more of the working classes of this country than the Chancellor of the Exchequer. I will not say more than that. But I think the right hon. Gentleman has totally mistaken the temper of the times, the mind of the working classes, and the condition which they at present enjoy. They are now in a position to secure not only the means of existence but the means of enjoyment. The working classes, I may also presume to say, are as proud of their country—and perhaps prouder—than any other class, and they are not the class to destroy our Navy or reduce our Army. They know that they belong to a great country. They are resolved, as far as they are concerned, still to belong to a great country. They never hesitate to contribute fairly to the resources of the country to maintain our means of power and defence, and, if necessary, of aggression. I give no opinion upon the justice, or the reverse, of the course taken by the working classes. They believe they have realized—I am speaking of the working classes in the great scenes of our industry, Lancashire, Yorkshire, Cheshire, and so on—the dream of their youth, "A fair day's wage for a fair day's work," and that they have at last secured that share of profits which, in the partnership between labour and capital, labour ought to secure. Whether they are right or whether they are wrong is another point; but the question is, what are their sentiments; If you will go to them and say—"The Chancellor of the Exchequer has taken up your cause, he is going to reduce the duty upon sugar," they will say—"We know something about this Gentleman; we have got his character of us stuck up on our mantelpieces, we do not care about his farthing philanthrophy, but we should like to know what he and his Colleagues mean to do about the master and servant question, and several other questions of that kind." They are deeply interested in those questions, and by the settlement of them according to their views they hope to secure the abounding prosperity which they now enjoy. Therefore, I think the Chancellor of the Exchequer, in the course he has adopted, is entirely mistaken.

I made an appeal to the Government to consider the case that has been put before them by the hon. Member for Westminster, and which many Gentlemen have supported. The right hon. Gentleman must feel that, as far as regards the wealthy classes and the great body of the working classes in this country, no reduction of taxation is requisite. He must know—for no Minister can be uninformed on the subject—that daily and hourly the pressure becomes greater upon a class in this country who deserve the respect and the consideration of Parliament. The right hon. Gentleman should feel how expedient it is to mitigate the incidence of the income tax, provided it can be effected without touching its vital principle. The right hon. Gentleman must feel that if he cannot do that, the great and commanding question in the minds of those suffering classes is the infliction which an ever-increasing taxation under our local system now imposes upon the people of this country. Can he for a moment think that after having himself enjoyed four years of power under circumstances of extraordinary command and favour, and having from the first acknowledged that unjust burdens under our local system should be under his auspices removed—can he reconcile it to his conscience that with an abundant surplus at his command, he is justified in making propositions which, he must admit, are not necessary, even if they are desirable; and that he should be deaf to the appeals of those the justness of whose claim he formally acknowledged years ago, for the satisfaction of which he has devoted the labours of himself and Colleagues now for a series of years, and to satisfy which we have absolutely on the Table of the House a large and matured measure of the Cabinet, and which was brought before our notice in the Queen's Speech on the opening of the Session? I wish to know how the right hon. Gentleman will answer that question; but I can assure him that I do not ask it in the spirit of hostility. I want him to satisfy the House that the manner in which those appeals have been received by the Chancellor of the Exchequer was not one suggested by the Cabinet. I want the right hon. Gentleman to tell the House that the Chancellor of the Exchequer was not justified in coming forward and announcing, after all that has occurred, to an expectant and disappointed people that Her Majesty's Government have during a series of years been trifling with them, that they have no intention of dealing with the question of local taxation, and that they have not yet commenced their preliminary study of the controversy. I cannot believe that the First Lord of the Treasury has for a moment sanctioned the statement made by the Chancellor of the Exchequer. I am sure that the right hon. Gentleman acknowledges the gravity and general importance of this question. I hope the right hon. Gentleman may save us from a division on this question. If the right hon. Gentleman does not he may depend upon it we will not shrink from a division. We know very well what is at stake. We know very well the tribunal to which we shall soon appeal. We shall watch with interest the effect of the speech of the hon. Member who preceded me in vindication and in explanation of his conduct on the vote upon which depends the question whether the local taxation of this country shall be revised and re-modelled or not. I make that appeal to the right hon. Gentleman because I should be glad if this subject were not treated as a party question. That was the only reason that induced me to make the appeal. I maintain that the Motion of the hon. Member for Westminster is a Parliamentary and proper Motion to make. We have not had an opportunity of discussing the financial scheme of the Government, and of arriving at a clear understanding of the principles upon which the financial policy of the country is to be based, and which it is of the utmost importance we should know. I will say nothing further on this subject beyond this—the Chancellor of the Exchequer and one of his Colleagues have asked us what we propose. I do not admit that it is our duty to make propositions in this House. But I am not of a churlish character, and I will make an exception upon that point. I do not blame Her Majesty's Government for not proposing to defray the whole of the Alabama Forfeit in the present Budget. I should have been prepared to support them—and I believe everyone who sits on this bench would also have supported him—in so doing but before the Budget was introduced, I could not have answered for the result of a division. Since however it has been discussed there has been a marvellous agreement on both sides that we should settle the American charge at once. If, therefore, Her Majesty's Government would adjourn this debate, and reconsider their position, they might reckon on my support in so doing; but I fear there is no probability, of its being done. Having provided otherwise for the Alabama Claims, it is their duty, in my mind, to deal at once and conclusively with the question of local taxation. I entirely reject the statement of the Chancellor of the Exchequer that they are not prepared to deal with that question. We know that they are prepared. We know that two years ago they brought forward a measure on that subject, but on which they never took a division. They showed then that they were completely competent to deal with it. Still they have done nothing. There is no justification for the unsatisfactory position in which the House of Commons is placed. This question of local taxation has been for years before the country, before Parliament, and before the Government. It is time to deal with it. With their present surplus the Government have ample means of doing so. I call on them now to avail themselves of the general disposition of the House to perform a great act of justice, and to prevent a fruitless Session which will be looked upon by the country with contempt.

Mr. GLADSTONE: Sir, I cannot think it unnatural or extraordinary that the right hon. Gentleman should take a favourable view of the Resolution proposed by the hon. Member for Westminster (Mr. W. H. Smith). Probably he has the best of all reasons for regarding this Resolution with a feeling analogous, at least, to that of parental fondness. The right hon. Gentleman, therefore, without difficulty, finds the Resolution to be reasonable, natural, and, under the circumstances, inevitable. But, instead of replying upon him by epithets drawn from the armoury of my own vocabulary, or that of any other hon. Gentleman on this side of the House, I will remind him that there are those upon his own side of the House who have not found the Resolution reasonable, natural, or inevitable. One hon. Member—I think the hon. Member for North Wiltshire (Sir George Jenkinson) —has this evening described it as unhappy; another—the hon. Member for South Norfolk (Mr. Clare Read)—has called it unfortunate; while a third—the hon. Member for South Northumberland (Mr. Liddell)—deprecated the Resolution of the hon. Member for Westminster. In this divided state of opinion among those from whom the right hon. Gentleman might, perhaps, have hoped for agreement, it can hardly be wondered at that we on this side of the House are not disposed to concur in the sanguine and favourable view which the right hon. Gentleman has taken of the Resolution. For my own part, I will not call it a Vote of Censure, because the right hon. Gentleman objects to a vote of that kind. But it is a vote aimed at the vitality of the Budget; and, that being the case, it is a vote with respect to which we are at liberty to say that, if we follow the practice of the right hon. Gentleman rather than his teaching, it is aimed at our vitality as a Government also. To listen to the right hon. Gentleman to-night, there is nothing so simple, nothing so commonplace in its character, as an attempt to dislocate a Budget. He says there is no controversy and no party move in the Resolution, and that he would not for the world introduce those elements into the matter. He says that it is a mere matter of every day, which we are not discussing or debating, but merely conversing about across the Table, and so he seeks to win us to his will. When we attempted with controversy, but without party movement, to treat the Budget of the right hon. Gentleman in that way 20 years ago, and when we succeeded in making what we thought a great improvement in his Budget by rejecting one among a dozen of his proposals, the result was that the right hon. Gentleman and his Colleagues walked out of office. He will not, therefore, be surprised if, when his preaching goes one way and his practice goes another, we are more moved by his example than by his words. Being such a Motion as it is—so grave and so serious in its effects upon proposals we have made with very great deliberation—I must say that it is impossible for the Government to have less cause of complaint for the Motion made against it. I have no disposition to complain of it at all. I must own that there is a body of Gentlemen who have a considerable reason to complain of it, and that is the Gentlemen who are expected to vote for it. That, is a matter, however, upon which there may be a difference of opinion. Let us endeavour to get at the meaning of the Resolution. That is not an easy matter. I find it difficult to ascertain its meaning even after the laboured comment of the right hon. Gentleman. I feel it difficult to connect that comment intelligibly with the words of the Resolution. Just now the right hon. Gentleman told us that he was perfectly willing, if we altered the Budget by striking out what relates to the income tax—that is to say, all that relates to direct taxation—that if we would do that and enlarge the Alabama payment, and devote £1,500,000 to the reduction of local taxation, we should have his support. But this is not what the Resolution says. It makes no mention whatever of the sum to be set apart for the payment of the Alabama Indemnity; and the right hon. Gentleman seems to have had occasion to change his mind since he took counsel with his friends with regard to the Resolution. The Resolution should have said that the House, before deciding upon the further reduction of indirect taxation, should be put in possession of the views of the Government with reference to the local taxation, and the liabilities incurred on account of the Arbitration at Geneva. The speech of the right hon. Gentleman is therefore hopelessly at variance with the Resolution of the hon. Member for Westminster. When I read it first it seemed to me that a sanguine and self-complacent Ministry might have found in it something complimentary, for it seems to assume that such is the confidence on the part of the House in the Government—such is the weight that it attaches to all that proceed from it, that it cannot proceed a step in the settlement of the finance of the year until we have told them a good deal more of what we think of direct and indirect taxation. But I am afraid that that is not the meaning of the Resolution, and therefore I look a little further, and I observe that the embargo put upon the action of the House, until further information as to the views of the Government wth regard to indirect taxation, is an embargo not only applicable to the sugar duties, but to all indirect taxation whatever. That is a most remarkable and significant feature of this Motion. It is impossible that this phrase "indirect taxation" can have been adopted without a purpose, and I think it must have been used with a moral object. The right hon. Gentleman has referred to the speech of my hon. and gallant Friend behind me (Colonel Amcotts), with reference to the constituencies. I am sorry at the moment not to see in his place the hon. and gallant Member for West Sussex (Colonel Barttelot), the present leader of the anti-malt tax army, because I really hope that he will give us the favour of his support against the Motion, inasmuch as the hon. Member for Westminster cruelly—not by a mere vote, but by a positive declaration of the House in terms—interposes between him and the realization of his favourite project for the repeal or the reduction of the malt tax. I have been glad to see that several of the reasons for this Motion, as put forward in the early part of the debate, have gradually disappeared. The hon. Member for Westminster unintentionally mis-stated the conduct of the Government with regard to the pledges they had given. He said that last year I had given a pledge on the part of the Government that we would, early in the present year, introduce a measure for the settlement of the whole subject of local taxation. I never said anything to that effect. I do not say that the hon. Member has intentionally misrepresented, because I find he has commenced the study of my speeches from the year 1851, and I do not wonder that by the time he got to 1872 he was completely bewildered by the volume and unintelligible character of what he read. It was said by the hon. Gentleman at the commencement of this debate that this reduction of the sugar duties was useless, for it would never reach the consumer. That was a declaration which has been in great favour out of doors. But by a bad tactical arrangement on the other side, the right hon. Member for North Devon (Sir Stafford Northcote) was put up to follow and support the hon. Member for Westminster, and the right hon. Member for North Devon flatly contradicted that statement that the reduction would not reach the consumer, and stated, on the contrary, that the probability was that not only the reduction but something more than that would reach the consumer. The proof of that is a proposition elementary in the minds of those who have given the smallest attention to the subject of political economy. We know very well that one of the objections to indirect taxation is that the tax is paid long before the commodity reaches the consumer, and that it enters into the commodity and forms a part of all the subsequent dealings with it, and of the capital by which the transaction is carried on. Upon the whole of that capital, including the duty and the original price, a profit must be added, and by those successive profits the burden of the duty is augmented. The Chancellor of the Exchequer stated truly that many untruths were in circulation about sugar; but there is one statement which is beyond all doubt, and that is that, by a custom extensively prevailing in the sugar trade, of all the commodities dealt with, there is none sold to the consumer on which the profit is so bare, and none on which the effect of a reduction would so rapidly find its way to the consumer. It is said that this change contemplates the abolition of the sugar duties. Now it neither contemplates their abolition nor their retention—those matters form a question for future years and the capacity of Parliament, and the revenue and the service of the country. If I am to be told that the abolition of the sugar duties is a result so dreadful that it is only to be held up to us in dark colours in order to frighten us out of our resolution and determine us not to take a step in such a direction, I can only say that I do not regard that result with any such horror, or with any horror at all, and if I could regard it with sanguine hope —I do not say that I do so regard it—I should also regard it with the sincerest pleasure and satisfaction. Then it is said that the revenue of the country is endangered—that there are meetings about the income tax, and vague complaints made here and there concerning brewers' licences and other imposts. We are to be alarmed and put out of our propriety by apprehensions about the revenue of the country; but I say that the revenue was never in less danger than now, and that the credit of the country never stood higher; and if we can keep our expenditure moderate, and our Debt in a course of steady and gradual reduction, and recruit the energies of the people from time to time by wise remissions of taxation, there is no fear for the revenue of the country or the performance of its duties by Parliament. Then it is made a matter of serious complaint, and this Budget is to be opposed because my right hon. Friend the Chancellor of the Exchequer in introducing it did not enter into what is called prospective finance, and attempt to sketch the destinies of the country for a course of years; and therefore it is said the provision made for the current 12 months is to be rejected or impeded. What is the history of prospective finance? I speak feelingly, because, under peculiar circumstances, I have tried my hand at it. There have been but two occasions of prospective finance in our generation, so far as I know. One of them was in 1842, when the income tax was imposed, and when Sir Robert Peel pointed out that probably it might be in the power of Parliament, after the lapse of a short term of years, to remit it, and when a hope was created in the public mind that the remission might take place. The revenue grew and prospered under the influence of the abundance of income and solidity of credit produced by the income tax; but when the time came the tax was not remitted, and the prospective portion of Sir Robert Peel's finance was therefore entirely baffled and defeated. In the same way, in 1853, I ventured to sketch out the possibility of the income tax being dispensed with at a certain date; but when the time came, in 1860, we had had the Crimean War, with great changes in the scale of our expenditure, and great changes in the whole views of Parliament with respect to it, and it was totally impossible to act on the policy regarded as reasonable in 1853. These references to precedent, therefore, cannot afford warrant or justification for attempting to force the Government into a declaration of prospective finance —so far as they go they are rather in the nature of warnings and admonitions of what should be avoided. It has been said the Estimates are over-sanguine, and that we can never get the revenue which the Chancellor of the Exchequer has been told to anticipate. It is curious to trace the course of criticism upon

Estimates in this House. I do not wonder at it when it proceeds from independent Members; but I feel surprised when it proceeds from Gentlemen who have themselves been in office. And I must add that within my recollection the right hon. Member for Buckinghamshire (Mr. Disraeli) has never indulged in it; because he knows perfectly well that although the Government are responsible for the Estimates, they are formed upon the advice of the permanent Civil Servants of the Crown, and are formed upon certain advice and upon certain fixed rules which are the result of practical experience. I do not think anything could be more unsatisfactory than that the Estimates should be framed in accordance with any particular set of political feelings or prejudices. The Estimates are framed upon a permanent basis, and it is a little hard upon those who are not in any way to blame when this licence of criticism is indulged in and they are treated as being the mere creatures of the brain of the Chancellor of the Exchequer or of the Administration of the day. I do not presume to speculate upon the future of the revenue of this country; but I would venture to point out these things respecting the relation which the estimate of my right hon. Friend bears to the expenditure. My right hon. Friend has been so happy as this—that in every year of the present Government except 1870, when the Franco-German War, breaking out in July and August, caused great alteration in the scale of our expenditure, he has been so happy as to see the expenditure at the close of the year less by many hundreds of thousands of pounds than in the Estimates originally presented. That is a good test of the prudence of a Chancellor of the Exchequer; because while one fundamental maxim of good finance is to keep your expenditure as moderate as you can, another is to keep your estimate of expenditure as high as you can in proportion to what it will be. But it has been said that we are by the present Budget preparing the means of escape from our pledges with respect to local taxation by giving away beforehand a revenue out of which claims for the relief of local burdens are to be met. I contend, however, that there is not a shadow of foundation for this statement, and I will venture in a very few words to show you how I am justified in saying this. I will make even the most unfavourable supposition with regard to the payment of the Alabama Claims, and I will suppose that out of this year's revenue we shall be unable to pay more than the £1,600,000, or one half. As the hon. Member for Brighton (Mr. White) very justly observed, we have in this country a very large increment of revenue. It would not be safe to reckon upon it as a basis of your Estimates in a particular year; but, taking one year with another, and without presuming any change in the taxes, from that source there is an annual increment exceeding £1,500,000 a-year. My right hon. Friend the Chancellor of the Exchequer has taken no credit for that annual increment. His revenue for the year 1872-73 — I set aside those services which do not proceed from taxes, such as income arising from the Miscellaneous, Post Office, Telegraph Services, and Crown Lands—is £66,102,000, after deducting £500,000 which belonged to the income tax since remitted; and his estimate for 1873-4 is as nearly as possible the same — £66,118,000. He has, therefore, taken no credit for this increment. But now we are dealing not with one year, but with two. We are dealing with the increment of this year plus the increment of next year; and therefore you might fairly reckon upon this even under the most unfavourable supposition—that we should find ourselves unable to pay off the Alabama Claims this year, and that Parliament was unable to find the money from other sources necessary to discharge its honourable engagements, or to meet claims which might fairly and justly be made upon it. There is one other consideration which induces me to look with greater confidence to the present upward movement of the revenue than at any former time, and that is the large and considerable increase that is now gradually taking place in the wages of the mass of the labouring population. Whatever you add to the wages of the mass of the labouring population will yield in its expenditure a larger percentage to the Exchequer of the country than those profits which go into the chest of the capitalist. I will not say that I take the sanguine view taken by the right hon. Gentleman with regard to the present state of the entire labouring population, but we know that this advance has extended even to the agricultural labourers in almost every county in England; and in augmenting the wages of the class to which he and others similarly placed belong I am persuaded we have opened a source of considerable, permanent, and steady increase to the revenue. I wish, however, to deal with perfect explicitness in respect to what has been stated and felt with respect to local taxation, for the right hon. Gentleman who has just sat down used this strange and singular expression—that nothing whatever is being done by the Government with regard to local taxation. The hon. Baronet the Member for South Devon (Sir Massey Lopes) has found it necessary to state that we have treated with contempt the Resolution at which the House arrived last year. He says we have inflicted upon those who passed that Resolution, and upon those on whose behalf it was passed, injury and injustice; and if he were not the mildest man in the world he should state that they had added to that injury and injustice insult also. The hon. Baronet knows that nothing is more easy than to use such language and to retort it. I shall carefully avoid any language of the kind; but I will venture humbly to state my own view, and I assert that, instead of being rebellious as towards the hon. Baronet, we have been his obedient servants in all respects but one. We have been his obedient servants in this respect. We have undertaken, in deference to the feelings of the House of Commons and of the country, to deal with the entire range of a question which, in our opinion, involves many considerations which have not been sufficiently or maturely weighed by those who are the main agents in promoting the movement. We have, however, undertaken to do that, and the first indication of it was in the proceedings of my right hon. Friend now the First Lord of the Admiralty. When my right hon. Friend introduced his Bill in 1871 we were deeply impressed with the difficulties of the question; but the enormous mass of that Bill, which it was impossible to proceed to dissect and to deal with, and the view, though not an unfavourable view, so taken of that Bill, even raised and heightened our estimate of those difficulties. But when the House thought fit to accede to the Resolution to which we were no parties, we, nevertheless, determined to meet it to the utmost of our power, and we promised to deal with the entire question of local taxation. The hon. Baronet has never dealt with the entire question of local taxation. There are two modes of dealing with the question. One is the mode described by Sir Robert Peel in former years as "the vulgar expedient of drawing a draft on the Consolidated Fund" and doing nothing else. Now I think the right hon. Gentleman the Member for Buckinghamshire must have had a strong vein of sympathy with that declaration of Sir Robert Peel; because in his speech at the commencement of the present Session he referred to the rhetoric of the Parliamentary Recess, and he combined together as the schemes which had been proposed in the exercise of that rhetoric schemes to settle the great question of local taxation, which generally end in the novelty of the expense being defrayed in Downing Street. He then went on to describe other schemes in the same category, ending with schemes for Government taking all the railways, and I suppose, if it were necessary, working all the collieries. Now, we have refused to approach the question of local taxation from that exclusive point of view. In that respect we cannot obey the hon. Baronet, and I am afraid that the hon. Baronet, like other successful generals and great rulers, is not content with a limited sway over the Government which he is leading in the rear of his triumphal car, and that nothing but an absolute and unequivocal submission both as to the thing to be done and the manner of doing it will satisfy the hon. Baronet. I know perfectly well, and I do not attempt to escape from, the force of the terms of the Resolution of last year. Relief to local burdens was the essence of that Resolution, and relief to local burdens is not to be had without—in the first instance, at least—in some way or other, applying to the Imperial Exchequer. But we contend that if there is to be relief to local burdens, there must be a comprehensive reform of local taxation. What is this great question of local taxation? My right hon. Friend the First Lord of the Admiralty endeavoured to comprise it in a single Bill; but it is in truth a Code—it is a great range and mass. It is a system and scheme of Government rather than a thing to be described as capable of being dealt with by a single Bill. I have no doubt the hon. Baronet would deal with it by a single Bill. Nothing is easier than to pass a Bill providing for the payment of sums, be they large or small, out of the Consolidated Fund, and leaving everything else in the inefficiency and confusion in which it now exists, weakening all inducements to economy, strengthening all inducements to centralization, and leaving the valuable old English principles of local government without a care or a thought. In our opinion, it is the absolute duty of a Government which has pledged itself to deal with this subject to begin by an endeavour to reform local taxation as it exists. Had it not been for the Motion of the hon. Gentleman the Member for Westminster, at this very moment the plans of the Government in this respect would have been laid upon the Table of the House of Commons by my right hon. Friend (Mr. Stansfeld). That reform is the first, the indispensable, and probably the most difficult and complex of all the portions of the question of local taxation; and great progress would have been achieved by the House of Commons if, during the remainder of the present Session, it should be able to dispose of it in a satisfactory manner. But it will be impossible, after that reform, not to consider the question of local government. The hon. Baronet knows very well that the settlement and determination, in one shape or another, of large and considerable questions as to the mode in which the payers of local burdens are to be governed and represented in respect to local taxation, and the whole of the application and consolidation of a good system of management, both with regard to areas and the constitution and composition of those bodies, are involved in the question of local government. Then in the rear of these two questions —as I at once admit to the hon. Baronet —there comes the question of what is called relief—that is to say, pecuniary relief—to local burdens. But the House of Commons must know that even in regard to that which we propose to deal with this year—namely, the abolition of exemptions—there is involved a partial, but still not inconsiderable question of relief to local burdens from the Imperial Exchequer through the abolition of exemptions and the placing of Government property throughout the country, according to fixed and certain principles, under liability to the rates. This third question is the one which has apparently attracted the exclusive care and attachment of the hon. Baronet. We shall not refuse to approach it. Indeed, we shall not lose time in our endeavours to approach it. We have carefully avoided doing anything in our financial proposals which could by any possibility compromise or impair the power of the House of Commons to approach it. But it is a question of the greatest importance, which may, perhaps, be found to involve the necessity of reviewing a great deal of what we have already done in rather a slovenly and off-hand manner, as well as of providing fresh means and resources for the future, and the mode in which the question of relief to local burdens from central sources is to be applied involves all those difficult and vital questions which my hon. Friend the junior Member for Brighton (Mr. Fawcett) referred to with so much force on Monday night, and in regard to which I venture to assure him that, although we are most anxious to obey as far as we can the desire of Parliament, yet we will do nothing that shall tend, in our judgment, to compromise either the principles of economy or those sound rules of independent local government which are so closely, in our opinion, associated with the whole spirit of the institutions of this country. I have now gone through all these questions, but they do not include the whole subject of local government. I have spoken freely and in such a manner as will, I hope, be intelligible to my hon. Friend the Member for Mid Lincolnshire (Colonel Amcotts), and I will say that we shall not shrink from making proposals—when we find that in the proper order of things we are able to approach them—to give effect to the views of Parliament, for the relief of the occupiers who bear the burden of local rates. But is that the whole question? Are there no parties concerned except the occupiers? What is the position of the owners of real property? Are they suffering from the present position of local burdens? I have not heard that allegation boldly made or argumentatively sustained. We admit the hardships to the occupier; but am I to say that the owners of property in the metropolis, for example, are sufferers from local burdens? Take first the case of the metropolis and the towns. These local burdens, in their direct operation, go to increase the value of the property of these owners. Of that increment of value they do not contribute a single farthing, and the whole effect of that increment will be felt when their leases are again adjusted, and when their property will receive a distinct and positive increase of value. Are they to receive first benefit from the exaction of these rates which they do not pay; and next the benefit which is to arise from national funds given in alleviation of those rates, which are to form a double source of addition to their income? I have explicitly explained to the hon. Gentleman to his face and freely the question of relief of local burdens as far as the occupier is concerned, and it will also be part of the duty of any Government which approaches this question to consider what changes are to be brought about in the position of owners, and not to allow themselves, under the pretext of relieving the occupier, which taken at the best can only be a temporary relief, to make a vast present and gift out of the national resources to the owners of the real property of the country. Although this is a very slight sketch, it may serve to show the difficulty, the number, and the gravity of those questions which are included in the brief formula which is so glibly uttered—the reform of local taxation. What is to be said as to the meaning of the Motion before us? It says—

> "Before deciding on the further reduction of indirect taxation, it is desirable that the House should be put in possession of the views of the Government with reference to the maintenance and the adjustment of direct taxation, both imperial and local."

I do not know, I confess, how to construe that language. The utmost I can do is to paraphrase it—to give a paraphrase of it which is intended to embody the sense of the debate. The meaning of it is this—That £1,500,000 of the surplus of 1873-4 ought to be held in hand or impounded by the Government in order to meet the possible want that is hanging over us, and which is not included in the Budget of the Government. There is no doubt that is the first proposition. The second proposition is that this £1,500,000 should not be the £1,500,000 which is going to be taken off the income tax, but that it ought to be the £1,500,000 about to be given for the reduction of the sugar duties. I have shown, with regard to the first of these propositions, that it is impossible, if you really intend to reform the local taxation, to deal with the pecuniary part of that question in the present year. It does not signify what Government may be in power. The reform of local taxation is an essential preliminary. It is absolutely necessary to know what is really and justly to be had, after the abolition of exemptions, from the sources which will be opened under a more regular system; and, therefore, as far as the financial operation of the present year is concerned, there is no question between us. It is a possible want of 1874-5 for which this money is to be held in hand. We contend that there is not only no necessity but no warrant, and no plea for refusing the people that justice which we have ever yielded in granting a remission of taxation from year to year, when the state of the revenue will allow, in consequence of apprehensions of what is to arrive at a future time, and which no one believes we shall have the least difficulty in meeting. But the other question is more serious, and those who have listened to the speech of the right hon. Gentleman the Member for Buckinghamshire must have perceived the difficulty with which he faced it. The meaning of the proposition is not that £1,500,000 is to be reserved, but that the £1,500,000 to be reserved is not to be that which is allotted for the reduction of the income tax, but is to be the £1,500,000 to be applied for reducing the moiety of the sugar duties. My right hon. Friend the Chancellor of the Exchequer has unwittingly and unfortunately given great offence to the right hon. Gentleman opposite. The noble Lord the Member for Middlesex (Lord George Hamilton) is perfectly scandalized that my right hon. Friend should have shown any sort of sympathy for the poor man. He finds it convenient himself to go about the county of Middlesex and preside at meetings in favour of the poor man.

Lord GEORGE HAMILTON: I said that the right hon. Gentleman had taken up too late in life the part of the poor man's friend.

MR. GLADSTONE: And a most extraordinary and inhuman doctrine that is. Foremost from his cradle the noble Lord has been the advocate of unbounded philanthropy and humanitarian ideas, and he presides over meetings of his constituents in every quarter of the metropolis for the purpose of placing himself in most favourable relations with them. [*Opposition cheers.*] I am very glad to be cheered. I am commending the noble Lord; but he is so jealous of his own virtue that he resents the intrusion of any of us as competitors who may have been less fortunate and less favoured in our earlier years. He absolutely proposes at his early time of life to shut the door of repentance upon us, although we are anxious to amend, and says—"You have no right to enter, and to take the bloom off my monopoly of virtue." That is not a fair method of proceeding. At any rate, this is the state of the case. Without questioning one another's motives, or one another's titles, I have no doubt we all have the best possible intentions towards the poor as well as the rich. I am not, however, speaking of intentions, but of acts, and while studiously avoiding every imputation, I cannot help saying that the demand made by the Motion is practically this—that we should allow the reduction of the income tax, but that we should arrest the remission of half the sugar duties; and that is a claim in effect that this large remission of taxation is to be given rather to property than to labour. I did not hear my right hon. Friend employ the one-sided language attributed to him. He did not say that all indirect taxation was paid by the poor man and all direct taxation by the rich man. That would be a great exaggeration. But, Sir, I do most seriously make an appeal to hon. Gentlemen opposite to consider the position in which they place themselves by this Motion. The right hon. Gentleman (Mr. Disraeli) says he will not shrink from a Division if there be occasion for it. Most certainly, Sir, we have not the smallest disposition to shrink from a Division. But, Sir, I shall be very sorry to see any portion—and especially any considerable portion—of this House give the vote which it appears they are to be invited to give this night, the effect of which would be to say that whenever there is a large sum of money—over £3,000,000—available for the remission of taxation, they shall demand—upon what plea I care not—that the whole of that remission shall be disposed of in the modes which will make it available rather for the benefit of property than for the relief of labour. ["No!"] I do not think I have made an immoderate statement. I have studiously avoided everything like extreme propositions. That I shall show, and I think I shall obtain the assent of the House to what I state. Sir, we have heard strange doctrines in the course of this debate. With respect to the condition of the labouring classes, we heard the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) lay down what appeared to be a singular proposition when he said—I think it must have been through verbal inadvertence—that there was as much suffering above the line of the income tax as below it. That is a proposition totally impossible to be maintained. There may be as true suffering above that line as below it. There may be individuals above the line of the income tax who suffer as much as individuals below it. These are, however, individuals and not masses. Speaking of the masses, the wealth of the country is above that line, the poverty of the country is below it. But that is not all. We had, Sir, an effusion to-night from another right hon. Gentleman, who spoke with great deliberation—the Member for Shoreham (Mr. Stephen Cave)—and he described the condition of the labouring classes of this country. He said—and I was astonished to hear his words—I hope he will see occasion yet to retract them—that recent events showed that the wage-earning classes of this country—he made no exceptions—work they never so irregularly and never so inefficiently, have a superfluity, and I object, he said, to this reduction or remission of the sugar duties because it goes to increase this superfluity. Well, this is the first time I have heard—and I trust it will be the last I shall hear—a Member of Parliament, in the position which Members of Parliament occupy, lay down in what I may call cold blood the abstract proposition that the labouring population of this country as a whole had more than they needed, and that the remission of indirect taxation must be stopped or suspended because it would go to increase their superfluity. ["No, no!"] If it is the right hon. Gentleman who says "No!" I am quite ready to accept it. I do not say, like the noble Lord (Lord George Hamilton), that he should have no opportunity of repentance, or that we should not welcome him back again, but this I say—that I was sorry to hear the words I have quoted. No such words fell from the right hon. Gentleman the Member for Buckinghamshire. But, Sir, it has been denied by some and obscurely seen by others that my right hon. Friend the Chancellor of the Exchequer is profoundly true in the main proposition he lays down—the main proposition which until this debate I thought was admitted by both political parties, and carried beyond the sphere of controversy—namely, that the burden of direct taxation does fall almost entirely—at all events, in an enormous proportion—upon the wealthy classes, and that the burden of indirect taxation falls in a very large proportion upon the labouring classes. Now, is that true or is it not? It is of vital consequence to the issue to be decided. I do not like at this hour of the night to quote authorities; but here are three lines from Mr. John Stuart Mill in support of this truism. He says—

> "That the coffee, sugar, tobacco, and fermented liquors can hardly be so taxed that the poor shall not pay more than their fair share of the burden."

And again he says—

> "It is thought a necessity to levy some fixed duty over all alike, and that this is a flagrant injustice to the poorer classes of contributors, unless it is compensated by the levying of other taxes."

But the right hon. Gentleman has himself admitted quite enough for my purpose, and therefore I proceed, as some hon. Gentlemen opposite think I have taken an undue liberty in venturing to warn them against the assumption involved in this most dangerous Resolution—dangerous to those who support it, most satisfactory to those who renounce it—to establish the proposition, even within moderate limits, that indirect taxation is that in which the working classes are most profoundly interested, and that direct taxation is that the burden of which falls upon the wealthy classes. Now, there is a sum of over £3,000,000 to distribute, and for it there are three claimants. First, there is the income tax payer. I strike out the labouring class altogether from that class, not that it does not contain many of them, but that the proportion is so small relatively that I need not take it into account. And therefore I take the remission of 1*d.* from the income tax as given to the property of the country. It is between the next claimants the controversy lies, because we propose the remission of the income tax very much in relief of that class with which the right hon. Gentleman desires to sympathize—namely, the lower middle class, upon which it weighs heaviest. We propose two great remissions—a remission of 1*d.* income tax, from which they will derive most conspicuous benefit, and reduction of the sugar duties, in which likewise they have a direct, substantial, and important interest. But what shall we say as to these two cases? The right hon. Gentleman admitted that as far as sugar was concerned—I register this admission, and I believe it is considerably within the mark—the labouring class pay one-half the duty. Now, the competitor of the sugar duty is local taxation, and let us examine the influence of the two propositions upon the labouring class, for I have shown already that we have made a concession to the wealthy in reducing the income tax, and that, therefore, a large share of remission ought to be given also to the labouring class. How much does the working-man pay of the local burdens of the country? The right hon. Gentleman acknowledges the authority of Professor Leone Levi, who places the payment of the working classes towards direct taxation at what I think the high figure of one-sixth, but who places it at 16 per cent with regard to local burdens; whereas it is at 50 per cent according to the right hon. Gentleman. So that when we have £3,000,000 to give away, we first give £1,500,000 entirely to property, and then, in regard to the other £1,500,000, when two claims are before us—one respecting which the labouring population are interested to the extent of one-sixth, and another in which they are interested to the extent of one-half—we are to reject the latter and choose the one-sixth. I will now meet the right hon. Gentleman on his own figures, and will show what is the proposition which he invites the Gentlemen behind him in serried phalanx to support. He says the local burdens amount to £25,000,000. Now, 1 o'clock in the morning is not the time to unravel the multitude of fallacies involved in that statement—by showing the Government grants, harbour dues, market tolls, gas, and water rates, &c., which figure as local burdens, but which are really payments for commodities of life which go to swell the unfortunately lean figure of fiscal burdens into respectable dimensions. I never before did such violence to my sense of truth, accuracy, and reason; but I will accept the £25,000,000 of the right hon. Gentleman, portentously though it is beyond the mark. I will also accept what I believe to be also an enormous exaggeration. Not satisfied with the one-sixth which Professor Leone Levi gives as the proportion contributed by the labouring classes, the right hon. Gentleman says they contribute £5,000,000 of the local burdens. Again reserving my own honour and conscience for other occasions, and without prejudice to future discussions, I will accept this gigantic and colossal statement, though I believe £3,000,000 would be considerably in excess of the truth. My object is to make an appeal to the right hon. Gentleman. He has made an appeal to me and says that he does not want to divide. I want to make an appeal to him, to show he ought not to divide. £25,000,000, he says, is the sum total of local burdens, £5,000,000 of which is paid by the labouring classes. What is the amount of relief to be given? £1,500,000. That amount is to be applied to the reduction of £25,000,000, a proportion of 6 per cent. Now, £1,500,000 upon £25,000,000 obviously gives £300,000 upon £5,000,000. Therefore, £300,000 is the sum which, according to the right hon. Gentleman, is the measure of the benefit which the labouring classes are to derive from the remission of local taxation; whereas according to his own admission the working classes contribute £750,000 to the £1,500,000 which we purpose to remit of the sugar duty. So that he would cut down the £750,000 of which we propose to relieve them to £300,000, in behalf of the classes possessed of property, to whom we have already given £1,500,000. I hope Gentlemen opposite will believe I am using the language of seriousness and truth when I express the grief with which we shall see any considerable portion of the House committing themselves, at this time of day, to a Resolution which contemplates results such as these. Let me point out an ineffaceable distinction between the labouring and wealthy classes, a distinction to which I do not advert invidiously, for I believe it to be inevitable. At the present moment, the luxuries of the wealthy are almost free from taxation—their houses, gardens, establishments, horses, carriages, jewels, dresses, are very slightly taxed in some instances, and altogether free in others. I believe that results from the working of sound principles; but, as a matter of fact, the luxuries of the wealthy are and must continue to be lightly taxed, or not taxed at all. What is the case of the luxuries of the poor? The luxuries of the poor are, as my right hon. Friend the Member for North Devon (Sir Stafford Northcote) says, spirits, beer, and tobacco. Well, the luxuries of the wealthy are lightly taxed; the luxuries of the poor are and must remain heavily taxed. I want to know what there is affecting the luxuries of the wealthy man like the tax which the poor man pays on the spirits he consumes. There is nothing like it, and there can be nothing like it. But I go further, and I say that these luxuries of the poor man must continue to be heavily taxed. We have really seen such wonders brought about by the progress of industry and of commerce that I cannot say what is impossible; but still it seems rational to believe that this system of taxing distilled and fermented liquors and tobacco, which yield £30,000,000 of your revenue, must continue to be heavily taxed, while the luxuries of the wealthy must continue to be comparatively free. With regard to malt, I must own there are great difficulties inherent in the case of malt, and among them there is this one—that those who recommend our dealing with it recommend it at a time when there is no possibility of our doing so. They always let the opportunity go by. Why is it that when 2*d.* or 1*d.* is proposed by my right hon. Friend to be taken off the income tax, those who are constantly telling us that the reduction or repeal of the malt tax would be beneficial to the health of the country do not bring forward their proposals? Is it that they recollect the rage that exists against the income tax? If the malt tax can be reduced I, for one, shall be extremely glad. But come what may, those luxuries of the poor man must always be subject to very considerable taxation. I would point this out as my result—and I regret having spent so many minutes in laying the ground for it—that in this state of circumstances, while it remains necessary to tax heavily the luxuries of the labouring classes, if you are to say to them, "We will not, when there is an opportunity, relieve sugar and tea," it is equivalent to telling them, "You shall have no remission at all." I will only say I hope—indeed, I feel assured—the House of Commons will not adopt a Resolution of this kind. If I were even to appeal to the selfish motives of hon. Members opposite, the representatives of towns, I fancy some of them would think twice before following the hon. Member for Westminster into the lobby. On the malt tax I have pointed out the effect of the Resolution. But do not let it be said that my right hon. Friend the Chancellor of the Exchequer has been setting class against class. That is the old story. It was said in the time of the struggle for the repeal of the Corn Laws that those who sought their repeal were setting class against class. In the struggle for the extension of the franchise, those who sought to enlarge the constituencies were habitually charged with setting class against class. I would not willingly say one word to set class against class; but if there be in this discussion any setting of class against class, the real culprits, I am afraid, are not those who wish to follow the line of precedent in dividing remissions between class and class, but those who insist on monopolizing those remissions, if not exclusively, yet in an unduly high degree, for those portions of the community which are already unusually blessed with the good things of this life. I feel confident that the House, rejecting the Resolution of the hon. Gentleman, if he thinks it necessary to put it to a vote, will discharge its duty, will be at once obeying the dictates of justice, adopting the suggestions of sound policy, and following a course which will tend to secure the contentment and advantage of the country.

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Resolutions read a second time, and *agreed to.*

WAYS AND MEANS.

CUSTOMS AND INLAND REVENUE BILL.

Resolution [April 30] *reported;*

"That it is expedient to amend the Laws relating to Customs and Inland Revenue."

Resolution *agreed to.*

Resolutions which on the 24th day of April were reported from the Committee of Ways and Means, and then agreed to by the House, read.

Bill or Bills upon the said Resolutions, and upon the Resolutions reported from the Committee of Ways and Means on the 28th day of April, and the Resolution now reported and agreed to by the House, *ordered* to be brought in by Mr. Bonham-Carter, Mr. Chancellor of the Exchequer, and Mr. Baxter.

Bill *presented,* and read the first time. [Bill 144.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 2nd May, 1873.

MINUTES.]—Public Bills—*Second Reading*—Elementary Education Provisional Order Confirmation (No. 3) * (78).

Report—Supreme Court of Judicature * (73-89).

Third Reading—Marriages (Ireland) * (75), and *passed.*

AFRICA—WEST COAST SETTLEMENTS —THE ASHANTEE INVASION.

QUESTION.

The Earl of LAUDERDALE said, that since he brought the subject of the Ashantee incursion under their Lordships' notice there had been, according to reports in the public newspapers, a serious engagement between the Ashantees and our protected tribes. As to the exportation of arms to Africa, he had seen a statistical paper, which gave 10,000 as the number of arms exported from this country to the West Coast in the month of April last; and that there had been exported during the months ending 31st March 4,000,000 lbs. of gunpowder, and 89,000, stand of arms. Those arms and a very large quantity of powder were consigned to various points, such as the Bonny River, Old Calabar, and other places, all south of the Gambia, and north of the Line. There was a very great trade in arms and ammunition along that coast, and it was of very great importance at the present crisis that every precaution should be taken to prevent them from getting into the hands of the Ashantees. On the other hand, it was reported that our own men had been obliged to give way before the enemy for want of ammunition, and that the ladies at Cape Coast Castle were subscribing money to supply them with powder. It was further stated that no fewer than 30,000 Ashantees were within six hours' march of Cape Coast Castle, and that the only re-inforcements that had been sent were 120 troops and 150 Coolies. Now he thought that wherever we hoisted the British flag we ought to have a sufficient force of native or other troops to resist any attack that might be made on it. The forts which we had to protect on this West Coast extended along a line of coast 60 miles in extent; and to send out European troops was out of the question—they would die as soon as they landed. He wished to ask the noble Earl the Secretary for the Colonies—What measures have been taken to prevent the Ashantees getting supplies of arms and munitions of war; What number of troops we have on the spot to defend and hold the various forts under the British flag, eight or ten in number; And if any of the Colonial troops were engaged in the battle, an account of which has been received at the Colonial Office?

The Earl of KIMBERLEY said, he would take the Questions of the noble and gallant Earl *seriatim.* With regard to the first of them—whether any steps had been taken to prevent the Ashantees from obtaining supplies of ammunition —before he answered it, he would like to explain that as to some of the points to which the noble and gallant Earl had referred as those to which a very large number of arms and great supplies of ammunition had been sent, the Ashantees had no more access to them than they had to the Cape of Good Hope. Those places were not in the neighbourhood of the country of the Ashantees. Of course it was of the last importance that measures should be taken to prevent the Ashantees, whose territory lay at the back of the Protected Territories on the Gold Coast, getting supplies of arms and ammunition, and instructions on the subject had been sent out from the Colonial Office; but it was not necessary that he should read them, because they had been anticipated on the spot by the Administrator, Colonel Harley. On the 8th of February the gallant Colonel issued a Proclamation forbidding all persons within the Settlements and Protected Territories on the Gold Coast, and on the waters, rivers, and estuaries thereof, to sell, barter, give, or transfer, directly or indirectly, any arms, ammunition, or warlike stores to the Ashantees or their allies, or to other enemies of the Protectorate. He also prohibited the importation of arms, ammunition, and warlike stores, excepting at Cape Coast, Elmina, and Accra, and such other ports as the importer might be especially authorized to land them at under a licence obtained from the Collector of Customs. The next question of the noble and gallant Earl was as to the number of troops we had on the spot to defend and hold the various forts under the British flag. Now, in order that their Lordships should understand the position of affairs in that part of the country, he ought to state that this was not British Territory, but British-protected Territory, and he could not do better than quote to their Lordships, Instructions sent out by Mr. Cardwell, which, though dated in June, 1864, were quite applicable to the present occasion. Writing to Governor Pine, Mr. Cardwell said:—

> "The duty of defending the extensive territory included in the Protectorate can only be satisfactorily discharged if the chiefs to whom it belongs are united and resolute in their own defence. If they are not united, and will not take upon themselves the principal part of the exertions necessary, it will not be possible to defend them without exposing the Queen's forces to the risks of a deadly climate, and to the hazard of being virtually defeated by the disastrous consequences of that climate, before they have been able to bring the native enemy to the issue of arms. The proper course, therefore, is to take every possible means for bringing the chiefs to an united and decided system of defence, and for this purpose to give them advice, to supply them judiciously with military stores, and, in concert with the officer in command of the forces, to furnish them with such assistance as he may be able to afford, without exposing his officers and men to any protracted residence in the interior, especially at the unhealthy season, and without weakening his force upon the coast so as to endanger the safety of the settlements themselves."

The same steps as Mr. Cardwell advised to be taken had been taken by the present Administrator, Colonel Harley, and, from all the accounts which had been received, the chiefs were quite able to defend the territory if they were willing to do so. Of course, if they were not so disposed, they could not be forced to resist the Ashantees. In a despatch recently received from the Administrator, he stated that the published accounts much exaggerated the number of Ashantees engaged in the incursion. Colonel Harley did not believe it exceeded 4,000—though doubtless it was in the power of the Ashantees to bring up re-inforcements. The tribes under our protection must be at least 10 times as numerous as the Ashantee army, and if they acted with energy there could be no question about their being able to repel the enemy. But there was a difficulty in the way of keeping them properly supplied with ammunition. Unfortunately, they had a foolish habit of firing off an unlimited number of blank charges before they came in sight of the enemy. It was, therefore, impossible to undertake to supply them with an unlimited quantity of ammunition; but a great deal had been sent to them, and also a great number of arms. In addition to the forces which the tribes themselves might be expected to supply, we had on the spot 270 troops of the West India Regiment, 220 armed Houssas, 200 Volunteers, and 150 Native Police, making in all an armed force under the Administrator of 840 men. Then, besides that force, there were at the latest date four vessels of war on the coast. They could not go up the interior, but the men on board would be useful in case of an attack near the coast or on the forts. By the latest advices there was another war ship on her way to the Coast; and since then a larger ship had been sent in the same direction. Writing on the 8th of April, Colonel Harley said:—

> "I may add that a feeling of complete security is felt here and along the coast, which the presence of four of Her Majesty's ships at present in the roads no doubt strengthens."

He thought that when the Military Administrator spoke in those terms there could be no doubt that confidence was felt in the resources at hand. The attack was serious, but there had been much exaggeration both as to what had occurred and the strength of the enemy. In answer to his noble and gallant Friend's last Question, none of the British troops were engaged in the recent engagement. They had not been sent into the interior, nor was it intended to send them.

THE EARL OF CARNARVON said, that the statement of the noble Earl the Secretary for the Colonies was, as far as he understood it, on the whole, a satisfactory one. But he understood that we were supplying arms and ammunition to a great number of semi-barbarous tribes. He did not know what degree of confidence was to be placed in these tribes, and he wished to know whether any security had been taken that we should get our arms back.

THE EARL OF KIMBERLEY could not say that any security had been asked or given. It was not probable that at a moment of such emergency a bargain could have been made with those tribes for the return of the arms; but arms had been supplied on former occasions, and no difficulty had arisen. We never had had any dissension with the tribes whom we were now arming, and there was no reason to think they would turn against us.

APPELLATE JURISDICTION OF THE HOUSE OF LORDS.

SUPREME COURT OF JUDICATURE BILL.

RESOLUTIONS.

LORD REDESDALE rose to move Resolutions respecting the jurisdiction of their Lordships' House as the ultimate tribunal of Appeal for the United Kingdom, of which he had given Notice. The noble Lord said, that in these Resolutions his reasons for being opposed to the abolition of the Appellate Jurisdiction of their Lordships' House were pretty fully stated. He thought that the constitution of one Tribunal of Ultimate Appeal for disputed suits from the Courts of all the three Kingdoms was more advantageous than the creation of separate jurisdictions for such appeals. If the principle of having only one such tribunal was departed from, and a claim should arise to property in more than one kingdom on a doubtful point of law, on which their respective Courts of Ultimate Appeal should differ, a legal and social scandal would follow, which could not occur if the last appeal had been to one Supreme Court as at present. Their Lordships' House had long supplied, and was alone capable of satisfactorily supplying, such a tribunal, from which, under the provisions of the Supreme

Court of Judicature Bill, it was proposed to separate England, at a time when its efficiency had been generally acknowledged, and its jurisdiction retained for Scotland and Ireland as especially satisfactory to those countries. As regarded their Lordships' House, the retention of this jurisdiction was most important, not only on high constitutional grounds, but for reasons connected with the succession to Peerages, which were legal rights; for in the event of a disputed succession to estates in more than one kingdom on a question of legitimacy dependent on a point of law such as might arise on a question of foreign marriage, the heir to which would also be entitled to a Peerage in each of those kingdoms, if the decision as to the right to the estates should be different in the respective Courts of Ultimate Appeal, their Lordships' House, although deprived of its *status* as a Court of Law, must decide as to the Peerages against the finding of one of those Courts, and a person who might by such decision be declared illegitimate would, nevertheless, continue to hold the estate to which, if illegitimate, he would have no claim, and the person to whom the Peerage should be awarded by this House would hold the same in defiance of the law of the kingdom to which the Peerage belonged, as declared by the Courts of that kingdom. Again, if the principle of the Judicature Bill were extended to Scotland and Ireland, three Courts of Ultimate Appeal would be established in the United Kingdom, and as it was acknowledged that both those kingdoms preferred the Appellate Jurisdiction of the House of Lords to that proposed to be constituted for England under the Bill, and on that account were not brought under it, and as provision was made in the Bill for the rehearing of an appeal, if the Court of Appeal thought fit so to order, and as such cases were likely to be few, and of a character particularly requiring the decision of one Supreme Court, it would be desirable that such appeals should be referred to the House of Lords in like manner as appeals from Scotland and Ireland. He heard with much pleasure last evening the argument of his noble and learned Friend (Lord Cairns) on the injury which the severance of the Lord Chancellor from the Court of Chancery would be calculated to inflict on the office of Lord Chancellor itself. He thought a similar argument applied in the case of the proposal to deprive their Lordships' House of its Appellate Jurisdiction. He believed that the dignity, *prestige*, and influence of the House itself would suffer by such a measure. He would not submit his Resolutions in one Motion; but would now move the first of them—

Moved to resolve,

1st. That one tribunal of ultimate appeal for disputed suits from the courts of all the three kingdoms is more advantageous than separate tribunals for such appeals (*The Lord Redesdale*).

Lord DENMAN said, he should support the Resolution of the noble Lord. From the first he had opposed the proposition to abolish the Appellate Jurisdiction of their Lordships' House. He desired to impress upon their Lordships that their Appellate Jurisdiction had gradually declined through want of sufficient attendance of their Lordships at the hearing of appeals. The opinions of his lamented father, of Lord Brougham, and of other authorities strengthened his convictions in respect to the proposals contained in the Bill of the noble and learned Lord on the Woolsack.

The LORD CHANCELLOR said, he felt he ought not to omit stating to their Lordships the view he took of the propositions of the noble Lord the Chairman of Committees, which, he thought, were really open to answer, both as to matters of fact and of principle. As to the matter of fact, his noble Friend was quite in error. The noble Lord assumed that this House had long supplied, and could alone supply, a satisfactory Tribunal which, being an Ultimate Court of Appeal for disputed suits from the Courts of all the three Kingdoms, prevented the possibility of any divergence in the principles on which their decisions were given. The noble Lord was mistaken. That House had never down to the present time stood precisely in the position which the noble Lord's propositions assumed. It had never been the sole Tribunal of Ultimate Appeal from all the Courts of the three Kingdoms. Until very recently, it was not so in appeals from the Probate Court, which determined all questions arising upon wills and intestacies. Appeals from the Admiralty Court still went to the Privy Council; and quite recently there had been a conflict of jurisdiction in one of those very Admiralty cases, which showed that the inconvenience which the noble Lord supposed could never occur under the present system could and did occur. It was also an error to suppose that the possibility of conflict would be confined to questions arising within the three Kingdoms, because the cases which arose in many of our dependencies would have to be decided by the same law as if they had arisen here. In questions of English law arising in India, the West Indies, Upper Canada, and the Australian Colonies, the Privy Council alone had ultimate Appellate Jurisdiction, and its decisions on all such points were received as authority in all the Courts of the Kingdom. The idea that that species of possible conflict was effectually precluded by the present state of things was, so far, not borne out by fact. Then, with regard to the argument founded on the authority of the House of Lords in matters of Peerage and Impeachment, the House did not sit as a Court of Law in questions of Peerage. A Committee of Privileges was an entirely different tribunal from the House exercising its Appellate Jurisdiction—in fact it was not a legal tribunal at all, because it was consistent with principle and usage for lay Peers to take part in its proceedings. In Impeachments their Lordships acted as the Grand Inquest of the nation; each noble Lord was then entitled to take his place and vote. Under this Bill conflict was not likely to arise on questions of law; if it did, it might be cured by legislation. As to questions of fact, everything depended on the estimate juries might form of the evidence submitted to them in each particular case. If they were in Committee of Privileges to decide on the right to a Peerage in favour of a claimant where a question of legitimacy was involved, there being large estates depending on the same question in Ireland, he apprehended there was nothing to prevent the possibility of those estates being decided in Ireland to go to the person whom their Lordships held not to be entitled to the Peerage. It was, therefore, not accurate to suggest that every sort of conceivable variation in the result could be absolutely precluded. Of all plans hitherto suggested or tried, that of this Bill, by bringing into one focus, with the greatest authority, all the elements of Appellate Jurisdiction in this country, was, he thought, most likely to preclude accidents of that kind. It was of the very essence of the Bill that the best possible Court of Appeal should be constituted under it, and in order to obtain such a Court it was most important to have in it most of the illustrious men who, having attained the highest position in the legal profession, had become Members of their Lordships' House. But, suppose this Bill to be accompanied by a provision that the very important cases mentioned by the noble Lord might be re-heard by the House of Lords, that very class of persons whose presence was so much wanted would not be available in the Court of Appeal created under the Bill. Impediments would be thrown in their way, because they would also be wanted in their Lordships' House to decide the same questions if brought up from the Court of Appeal. Therefore, by adopting the proposition of the noble Lord, their Lordships would be cutting off a most important element from the Court of Appeal to be constituted under the Bill The noble Lord did not on that occasion put the matter on political, but on judicial grounds; and that being so, the inevitable effect of his proposition would be to embarrass our Supreme Court of Appeal without any adequate compensation in the administration of justice.

LORD CAIRNS said, his noble Friend the Chairman of the Committees was so justly jealous of the honour of their Lordships' House, his mind was so stored with the knowledge of its constitutional history, and his noble Friend himself added so much lustre to the House by the way in which he discharged those very important duties which came under his care, that he felt great pain whenever he was unable to support any proposition presented to the House by him. But as regarded this particular Motion he should have very great difficulty in supporting it. The proposition was an abstract one. It was this—

> "That one tribunal of ultimate appeal for disputed suits from the courts of all the three kingdoms is more advantageous than separate tribunals for such appeals."

As an abstract proposition, he entirely agreed with that. It represented a state of things which in the abstract would be more desirable than separate tribunals. But, in the first place, if that proposition were affirmed, consequences might flow from it which his noble Friend did not intend. It might be said, "the best thing you can do is to take the Bill now before the House and extend it beyond its present scope, so that the Court of Appeal shall be not only for England, but also for Scotland and Ireland." That would be the logical conclusion from this proposition, but it was one which he would not be disposed to adopt. The proposition was based upon an assumption which he believed to be erroneous. The Resolution of his noble Friend proposed an ultimate appeal from the Courts of the three Kingdoms. Now, although it was true that this House had heard Appeals from England, Scotland, and Ireland, it was also a fact which should be borne in mind that their Lordships in appeals from each of these countries did not sit as one Court to administer one uniform law which applied to all the three Kingdoms. On the contrary, when the appeal was from an English Court, their Lordships sat as an English Court of Appeal, when from a Scotch Court they sat as a Scotch Court of Appeal, and when from Ireland as an Irish Court of Appeal. They had again and again put a construction upon the words of a Scotch will quite different from what would be done in the case of an English one, and had been obliged to say—

> "If these words had occurred in an English will, we should have put a certain construction upon them as sitting in an English Court of Appeal, but, occurring as they do in a Scotch will, where the words receive a different construction, we are obliged to consider the form of words in a different manner."

Their Lordships, therefore, did not form one Court of Appeal, but three Courts of Appeal, and, therefore, the objection of his noble Friend applied to the present constitution of things. At the present moment anomalies did occur, and he could not give a better example of them than he had done. Therefore, though in the abstract he should say it was better to have one Appellate Tribunal for the United Kingdom than several, we never had it. But if we were to have regard to abstract Resolutions, he would say it would be much more desirable that we should have one law for the three Kingdoms. Such Resolutions, however, expressed what we never had and never would have. If, after all the efforts which had been made to add strength and dignity to the Court of Appeal to be created by the Bill, they were to adopt the course which his noble Friend proposed, they would have thrown away all their trouble, and the new Court of Appeal would be neither one thing nor the other. We could not have two powerful Courts of Appeal one over the other. If they strengthened the Appellate Court as the Bill proposed to strengthen it, then there should be no appeal from that Court. As to cases of importance on which the Court of Appeal under the Bill might entertain different opinions, he would remind his noble Friend that an appeal to that House would be open to the same objection. For these and other reasons he regretted that he could not support the proposition of his noble Friend, and he hoped his noble Friend would see the inexpediency of Dividing the House upon an abstract Resolution.

LORD REDESDALE, in reply, said, he was so fully convinced of the justice of his propositions, that he felt bound to take the sense of the House upon the Question.

On Question? their Lordships *divided*:—Contents 13; Not-Contents 38: Majority 25.

CONTENTS.

Bathurst, E.
Beauchamp, E.
Bradford, E.
Lauderdale, E.

Denman, L.
Egerton, L.
Ellenborough, L.

Headley, L.
Northwick, L.
Oranmore and Browne, L.
Redesdale, L. [*Teller.*]
Sheffield, L. (*E. Sheffield.*) [*Teller.*]
Stanley of Alderley, L.

NOT-CONTENTS.

Selborne, L. (*L. Chancellor.*)

Saint Albans, D. [*Teller.*]

Lansdowne, M.
Ripon, M.

Camperdown, E.
Dartrey, E.
Fortescue, E.
Granville, E.
Kimberley, E.
Morley, E.
Stanhope, E.
Waldegrave, E.

Eversley, V.
Halifax, V.
Sydney, V.

Gloucester and Bristol, Bp.
London, Bp.

Belper, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Brodrick, L. (*V. Midleton.*)
Carysfort, L. (*E. Carysfort.*)
Castletown, L.
Crewe, L.
Ettrick, L. (*L. Napier.*)
Foley, L.
Foxford, L. (*E. Limerick.*)
Greville, L.
Gwydir, L.
Hanmer, L.
Hatherley, L.
Lawrence, L.

Lisgar, L.	Romilly, L.
Lyveden, L.	Sundridge, L. (*D. Argyll.*)
Methuen, L.	Wrottesley, L.
Ponsonby, L. (*E. Bessborough.*)	

Moved to resolve,

2d. That this House has long supplied and can alone satisfactorily supply such tribunal, from which, under the provisions of the Supreme Court of Judicature Bill now before the House, it is proposed to separate England at a time when its general efficiency is acknowledged, and its jurisdiction retained for Scotland and Ireland as especially satisfactory to those countries:

3rd. That if the principle of having only one such tribunal is departed from, and a claim shall arise to property in more than one kingdom founded on a point of law on which their respective courts of ultimate appeal shall differ, a legal and social scandal will follow, which could not occur if the ultimate appeal had been to one supreme court, as at present:

4th. That as regards this House, the retention of this jurisdiction is most important, not only on high constitutional grounds, but for reasons connected with the succession to peerages, which are legal rights; for in the event of a disputed succession to estates in more than one kingdom on a question of legitimacy dependent on a point of law (such as may arise on a question of a foreign marriage), the heir to which would also be entitled to a peerage in each of those kingdoms held under similar limitations, if the decision as to the right to the estates should be different in the respective courts of ultimate appeal, this House, although deprived of its status as a court of law, must decide as to the peerages against the finding of one of those courts, and thus a person who may by such decision be declared illegitimate will nevertheless continue to hold the estate to which, if illegitimate, he would have no claim, and the person to whom the peerage shall be awarded by this House will hold the same in defiance of the law of the kingdom to which the peerage belongs, as declared by the courts of that kingdom:

5th. That if the principle of the Judicature Bill is extended to Scotland and Ireland, three courts of ultimate appeal will be established in the United Kingdom, and as it is acknowledged that both those kingdoms prefer the appellate jurisdiction of the House of Lords to that proposed to be constituted for England under the Bill, and on that account are not brought under it, and as provision is made in the Bill for the re-hearing of an appeal if the Court of Appeal think fit so to order, and as cases which it is desirable should be re-heard are likely to be few, and of a character particularly requiring the decision of one supreme court, it will be desirable that such cases shall be particularly determined and referred to the House of Lords in like manner as appeals from Scotland and Ireland (*The Lord Redesdale*).

Supreme Court of Judicature Bill [H.L.]—Amendments *reported* (according to order); further amendments made; Bill to be read 3ª on *Monday* next; and to be *printed* as amended. (No. 89.)

House adjourned at Seven o'clock,
to Monday next, Eleven
o'clock.

HOUSE OF COMMONS,

Friday, 2nd May, 1873.

MINUTES.]—Supply—*considered in Committee*—Civil Service Estimates.

Public Bills—*Committee—Report*—Agricultural Children [8].

Third Reading—Australian Colonies (Customs Duties) * [106], and *passed.*

ARMY—MAJORS OF ARTILLERY.

QUESTION.

Sir DAVID WEDDERBURN asked the Under Secretary of State for India, If he would explain to the House why the Majors of Artillery actually in command of batteries in India draw only the same amount of pay as was accorded to them as Captains prior to the Royal Warrant of 5th July 1872, while those holding the same rank and position in England draw, under that Warrant, the same pay as Majors of Infantry of the Line; and, whether, under existing arrangements, many Majors of Artillery are not in a very inferior position as regards pay to that occupied by Majors of Infantry, the former drawing 433 rupees 10 annas per mensem, while the latter draw 789 rupees 9 annas per mensem; and when it is proposed to place Majors of Artillery in India in the position as regards pay, apparently contemplated in the Royal Warrant above referred to?

Mr. GRANT DUFF: In reply, Sir, to my hon. Friend's first Question, I have to say that the regimental pay drawn by majors of Artillery in England is not the same as that drawn by majors of the Line, and further, that majors of Artillery in India receive more in pay and allowances than they do in any part of the Empire, and as much as it is considered that their services entitle them to receive. In reply to his second Question, I have to say that some majors of Artillery serving in India are and some are not in an inferior position to majors of Infantry also serving in that Country. Those commanding field batteries, who form the more numerous class, receive more in some cases, and, at least, as much in all as Line majors. Those commanding garrison batteries, who have much smaller responsibilities, receive less. In reply to his third Question, I have to say that it is not intended to alter the position as regards pay of majors of Artillery in India.

THE TICHBORNE TRIAL.

QUESTION.

MR. M. GUEST asked the Secretary of State for the Home Department, Whether, considering the difficulty of approaching the House of Commons, on account of the mob which daily congregates to witness the departure of the Claimant in the Tichborne trial from the Court of Queen's Bench, any additional measures can be taken to secure a more easy access to Members of Parliament to and from the House? In putting the Question the hon. Member said, he had been struck that day by the great impediment which had taken place in the approach to the House. He had been talking to one of the Inspectors of police, who had told him that it was found necessary to employ no less than 100 constables in keeping the approach.

MR. BRUCE: Sir, the difficulty of keeping order arises at the moment when the defendant appears at the door of Westminster Hall, up to which time I think it will be found that the ways have been kept tolerably clear. There is then a great rush, and I am bound, in the interests of truth and justice, to say that the police report that their difficulties at that moment are much aggravated by the presence of a considerable number of Members of the House of Commons, whose presence on the scene of action prevents that vigour on the part of the police which they might otherwise display. No doubt, the number of spectators has increased very largely, and to-day there has been an increase in the number of police. It is a matter of very considerable inconvenience that so large a body of police, no fewer than 150 in number, should be taken from the performance of their ordinary duties. An application was made to the Judges of the Court of Queen's Bench to allow the defendant to leave by the Judges' entrance, as he did during the civil trial; but I believe that is contrary to the etiquette of the Court; and, on that account, I am informed, the arrangement has not been permitted, although it would enable a smaller number of policemen to keep order, and prevent inconvenience to the public.

BOARD OF EDUCATION (SCOTLAND.)

QUESTION.

MR. GORDON said, that the Board of Education for Scotland having prepared and submitted for the consideration of the Scotch Education Department of the Privy Council the conditions according to which in the opinion of the Board of Education Parliamentary Grants may be most advantageously distributed in Scotland, asked, Whether the Vice President of the Privy Council will lay upon the Table of this House these conditions, in order that the School Boards and others interested in education in Scotland may have opportunities of making representations to the Scotch Education Department in reference to the conditions?

MR. W. E. FORSTER: Sir, the section of the Act to which the right hon. and learned Gentleman refers says that it shall be the duty of the Scotch Board of Education to submit to the Education Department the conditions of the Education Code for Scotland; but it also imposes on the Education Department the duty and responsibility of the final settlement of those conditions. We are, therefore of opinion that, while on the one hand we should invite Parliamentary discussion on the Code when we have finally settled it, yet it was not contemplated by the Act that we should call in the aid of Parliament by raising a preliminary discussion by putting on the Table the Minutes which have been received and the Correspondence with the Scotch Board.

MR. GORDON said, he did not ask the Question with the view of raising a Parliamentary discussion; but merely for the information of the public, so that they might have an opportunity of correcting any erroneous views.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

HARBOURS OF REFUGE.

MOTION FOR A SELECT COMMITTEE.

LORD CLAUD JOHN HAMILTON, in rising to move for a Select Committee to inquire into the loss of life on the North East Coast, and report on the best means of averting the same, said, that two years ago he had called attention to the great annual loss of life and property on that coast in consequence of its unprotected state. The Motion was opposed by Her Majesty's Government, and he was defeated by a majority of 35. Last year, owing to the pressure of Public Business, he was unable to find an opportunity for renewing his Motion; but this year he had been more fortunate. He feared that he should have to travel over some ground which was not unfamiliar to the House, but he was fortified by the knowledge of the very great evils arising from the unprotected state of the coast, and the saving of life which would have resulted if, two years ago, his Motion had been carried. It was not until the commencement of the present century that public attention began to be seriously directed to the annual loss of life and property on the north east coast of England, and it was not until recent years that any practical mode of dealing with these great calamities was suggested by any hon. Member of that House. In 1857 Mr. Wilson, then Secretary to the Treasury, moved for a Select Committee to inquire into the loss of life upon our coasts, and to devise the best remedy. That Committee sat for two years, and reported in favour of a grant of money for constructing harbours of refuge at certain points of the coast, and recommending loans to improve the navigation of particular ports. A Royal Commission was next appointed by Sir John Pakington during the Administration of Lord Derby, and, after due investigation, they made a Report. The Government of Lord Palmerston, however, which had by this time returned to office, took no notice of the Report. Two years afterwards the then hon. Member for Sunderland (Mr. Lindsay) moved an Address to the Crown to carry into effect the recommendations of the Royal Commissioners. The Motion was opposed by the Government, but it was, nevertheless, carried by a majority of 17. He had reason to believe that the right hon. Gentleman (Mr. Gladstone), who was then Chancellor of the Exchequer, persuaded Lord Palmerston to ignore the vote of the House of Commons; and the recommendations of the Royal Commissioners, which contemplated the construction of a harbour of refuge in Filey Bay, had remained a dead letter. That Government, however, gave effect to one of the recommendations of the Select Committee of 1857, for they passed the Piers and Harbours Act, which enabled local bodies to borrow money from the Government for the improvement of the rivers, and which had conferred enormous benefits upon the shipping interest and the public; but he denied that a safe and available harbour of refuge on the north east coast had thereby been established, for the fact was, no safe and commodious harbour could be found between Fern Islands and the Humber. The want had been felt from time immemorial, and unless Parliament interfered that want would continue to exist. Upon the present occasion he had somewhat varied the terms of his Motion from that of the preceding one and he now asked the House to appoint a Select Committee to inquire into the state of that coast, and the annual average loss of life and property, and to empower the Committee to report on the best means of averting those great scandals. At the same time, he would intimate that although he only asked for a Select Committee, he did not conceal his agreement with the Royal Commissioners in their recommendation of a harbour of refuge at Filey. The River Tyne had been greatly improved, but, from its position to the northward, it could not fulfil the conditions demanded by the shipping interest. There remained 200 miles of seaboard of a very wild and inhospitable character, and destitute of a harbour of refuge. Having quoted statistics to show the large proportion of ships and tonnage from the north-east seaports, which might be said to represent one-quarter of the whole shipping trade of the United Kingdom, the noble Lord said, that along those 200 miles of coast there was not a single harbour that was not a bar-harbour except the Tyne, and that was in a condition far from safe. The loss of life and property on the coast occurred in a manner that had now become familiar. The sailing colliers usually left the north-eastern ports in large fleets, and invariably made for Flamborough Head north-west of which lay Filey Bay, where they awaited a favourable opportunity for continuing their voyage. But the neighbourhood of Flamborough Head was very liable to sudden changes of wind, and while the colliers were working round Flamborough Head for shelter, a change of wind often drove them back to the ports from which they came, all of which had bar harbours. Now, those bars were impassable to the great majority of the vessels except at high water, and the result was that deplorable calamities occurred as the vessels were trying to re-enter their harbours. Nearly four-fifths of the vessels lost on the north eastern coast were laden vessels, and that fact conclusively proved that in addition to the loss which occurred to life there was an immense loss to the trade of the country, owing to laden vessels being obliged in bad weather to put back to the ports which they had left, because there was no harbour of refuge between their ports of departure and destination. When he last brought forward this Motion two years ago, it was said and no doubt it would to-day be repeated, that sailing colliers were being fast superseded by steam colliers. Such, however, was not the case. In the great storm of February, 1871, no less than 1,000 sailing colliers were scattered and driven back, and of these 53 foundered, with a loss of from 80 to 100 lives. The fact really was that sailing vessels had increased, for while the number in 1855 was only 8,333, in 1861 it had risen to 11,060, and in 1870 to 11,598. But the accommodation for which he contended was also necessary for steam vessels, for from a Return which he held in his hand, and which had been carefully compiled by *The Shipping and Mercantile Gazette*, it appeared that between Fern Islands and the Humber there had been in 1871-2, exclusive of 13 collisions, with which a harbour of refuge had, of course, nothing to do, 34 minor casualties to steamers; 6 had foundered, 5 had been totally wrecked, and 13 had been stranded. As the value of one of these steamers was about equal to the value of 15 ordinary sailing colliers, the loss of these steamers which had foundered and were totally wrecked was equal to the loss of 125 sailing vessels. In 1870 the total casualties to the shipping trade generally on the 200 miles of seaboard referred to in his Motion were 67 collisions, 191 minor casualties, 23 vessels foundered, 34 totally wrecked, and 47 stranded, 75 lives being lost. In 1871, a year distinguished for its storms, the list was heavier—110 collisions, 86 vessels stranded, 143 vessels foundered, stranded, and wrecked, these casualties being accompanied by a loss of 120 lives. With such lists he thought that no hon. Member would rise in his place and deny that it was our duty to do what we could to mitigate if we could not avert such calamities, and this he believed could be done if his Motion were adopted. The peculiar position of Filey, lying as it did to the north of Flamborough Head, induced the Commissioners to select it for the purpose of a harbour of refuge, while the fact that it was merely a small fishing village was sufficient to show that it had been selected from no improper motive. The Prime Minister on a former occasion had characterized his then Motion as "isolated and local." Isolated it no doubt was, but in making it he felt that after so long a time from the date when the Commissioners reported, it would have been ridiculous to propose the adoption of all their recommendations, or to suggest so large an advance of public money after the expenses incurred under the Piers and Harbours Act. Again, all the places recommended by the Commissioners, except Filey, had local influence and local resources at their command, and the only inducement which could have led to the selection of Filey was its qualifications as a natural harbour. It would form an admirable harbour of refuge, not only for merchantmen, but for ironclads and men-of-war, and the execution of the work would only cost, according to the Commissioners, £860,000; but the Prime Minister, in the former debate, had stated that this was only the first expenditure, and that practical experience had shown that in such cases the original estimate was generally doubled before the completion of the work. Fortunately, however, these debates were read, and sometimes by persons whose knowledge and memory had during the past four years been called into requisition to correct the flights of fancy of Her Majesty's Ministers. On authority which could be relied upon it appeared that Mr. Milner Gibson, when President of the Board of Trade, commissioned the assistant secretary of the marine department to write a Report, throwing as much discredit upon the recommendations of the Commissioners as possible, in order to influence Parliament adversely, and those instructions were carried out. He (Lord Claud Hamilton) had received a letter from Admiral Sir Bartholomew Sullivan, mentioning that one of the most eminent of the harbour contractors had gone into the estimates, and had expressed his willingness to take the construction of the harbour for the sum named by the Commissioners, and to give guarantees for the completion of the work. But what course had Mr. Milner Gibson adopted? He had thrown discredit on the Report of the Commission, and up to the present time his view had been accepted as the authoritative opinion of the Board of Trade on the subject. With regard to that, Admiral Sir Bartholomew Sullivan asked if it was fair or just to throw discredit on the fitness of the Commissioners for their work, and whether it was just to compare the estimates of the Commissioners with the cost of harbours which had greatly exceeded the estimates? That showed how the work of our public Departments was conducted with a view to suit political exigencies, or to confirm Ministerial crotchets. He hoped, therefore, he should not be considered as bringing forward a Motion which would tend to entail enlarged and indefinite expenditure upon the House of Commons. As he was now on the subject of expenditure, he would allude briefly to the large outlay of money by the Tyne Commissioners—a body appointed in 1852, mainly for the purpose of improving the approaches of the River Tyne, and to secure a harbour of refuge there available for all classes of vessels in stress of weather. Plans for two great piers were drawn and were submitted to Mr. Walker, an eminent civil engineer, since deceased, and accepted. Twenty years had since elapsed, and still the piers were far from being completed. Indeed, it was reported that the Commissioners now proposed to relinquish them altogether, or, at all events, to curtail them considerably. The public had heard of the enormous expenditure of these Commissioners and of the glorious approach which they were making to Newcastle and Gateshead up their river. But that money was being spent on objects very different from those which were contemplated by Parliament when they obtained their powers. Parliament, when it granted them powers, contemplated that they should so improve the entrance to the river as to make it available for all vessels in stress of weather from whatever point the wind might be blowing. They had, however, instead of carrying out that great work rendered the approaches to the river far more dangerous, owing to those half-completed piers, than before. In fact, to enter the river now in bad weather was a matter of the greatest difficulty. In the year 1864 the screw steamer *Stanley* was wrecked inside the piers, with the loss of all hands. On the 17th of December last a barque was wrecked also inside the piers, and seven of her crew were drowned. A Danish ship very narrowly escaped, and on the same day a smaller vessel was totally wrecked. On the same occasion, the lifeboat from South Shields ran great risk; seven of her crew were washed overboard and two of them drowned, notwithstanding that two other lifeboats were at hand. A nice harbour of refuge this, that required three lifeboats to be rowing about inside it! But where had the money been really spent? The Commissioners numbered 18 persons, 10 of whom represented Newcastle and Gateshead—that was to say, the inland interest, as against seven representing Shields and Tynemouth, and one the Admiralty—that was to say, the harbour of refuge interest. The inland interest had, therefore, an absolute majority of two over the representation of Tynemouth, Shields, and the Admiralty taken together. The result of that state of things was abundantly shown by the proceedings of the Commissioners. The contract for the piers was, through the influence of the present town clerk of Newcastle, then a member of the Commission, given to a gentleman to whom he was solicitor, although eminent contractors elsewhere proposed to complete the works for the same cost and in much less time. Some suspicion was aroused, but though shipowners in South Shields and elsewhere required the contract in question to be made public, the Commissioners refused to comply with the request. The real fact, however, was that the money which ought to have been expended in the formation of piers which should have proved a complete protection to both life and property, was being expended in useless inland works above Newcastle, by which it was hoped that masted vessels would be able to reach certain villages situated on the banks of the river some 15 miles above the sea; and at a cost that it was thought would reach £250,000 they were reconstructing the bridge at Newcastle, the estimate for which work, submitted to Parliament amounted to £50,000 only. They were too, he was informed, doing those works themselves, instead of submitting them to open competition, and thereby losing money. To secure the necessary funds, they put into force powers which the Act gave them of levying 2*d.* per ton on ships in the foreign trade, and 1*d.* per ton register on coasting vessels, so that, in fact, foreign vessels contributed the funds for the completion of a work from which they could not possibly derive any benefit, while the works by which they might be benefited were neglected. On the other hand, Newcastle and Gateshead, which would have all the advantage of the works in question, did not, he was informed, contribute a farthing towards their construction. The Commissioners had also power to collect coal dues, and to place many other imposts on the shipping interest. Public feeling had been at length aroused, and the Chambers of Commerce of Newcastle, Gateshead, and South Shields had petitioned Parliament to appoint auditors to investigate the accounts of the Commissioners, so that the amounts expended and the purposes to which the money was devoted might be ascertained. He must, in this place, state that it was the existence of that public feeling, which he could assure the House was very strong, that had led him to adopt the course he had taken, for he thought the Committee might inquire into the constitution of the Commission, and the expenditure of its funds, and might offer suggestions for the improvement of that body. It contained only one representative of the Government, though the Mersey Commission had four such representatives, and the whole power was vested in the town council of Newcastle, a body which, being many miles up the river, did not care about harbours of refuge. It might be asked why the question should not be referred to the recently-appointed Royal Commission on loss of life at sea, but that Commission had enough on its hands, and it was sitting with closed doors—a mode of inquiry which would not be satisfactory in this case. Moreover, it was not likely that the Prime Minister, who, when Chancellor of the Exchequer, persuaded his Colleagues to disregard the recommendations of Royal Commissions for the construction of harbours of refuge at the public expense, would now pay greater attention to the Report of such a body, and that more especially, when as in the case of the Commission on Officers' Grievances, the Government instructed them to make no Report involving any Vote of public money, though that was the only step which could meet the necessities of the case, and involved the fact, that the whole inquiry was evidently a sham. From a Select Committee he augured a different result, and its appointment would not bind the House to the selection of Filey or to any outlay. It would show that Parliament was impressed by the calamities which happened on the coast; and surely in times of prosperity, a deserving class of men, whose lives were spent in peril, and to whom the country in the hour of danger always looked for aid, should not be neglected. The noble Lord concluded by moving for the Select Committee of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the loss of life and property on the North East coast, and report on the best means of averting the same,"—(*Lord Claud John Hamilton,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CHICHESTER FORTESCUE said, that on first seeing the Notice of his noble Friend the Member for Lynn Regis (Lord Claud John Hamilton), at the beginning of the Session, he thought it an interesting and reasonable one, calling for the consideration of the House and the Government. There had, however, been little connection between the noble Lord's Motion and his speech, and though the noble Lord had described the former as one which he brought forward two years ago, his proposal then was the construction of a harbour of refuge at Filey. Even had no other mode of inquiry been provided since the Notice was given, the House, if convinced that an investigation was necessary, could not have limited it to the north east coast; but there had been such discussions on the loss of life and property at sea, resulting in the appointment of a competent and distinguished Commission, that there could be no reason for nominating a Committee to traverse the same ground. He had been unable to find any reason for singling out the north-east coast. No doubt that part of the coast represented a number of casualties, and he believed an amount of loss of property out of proportion to the number of miles to which it extended; but that could easily be accounted for by the nature and the amount of the trade, the natural dangers of the coast, and so forth. The mere loss of property, however, was not the ground on which the noble Lord could proceed. He could hardly call upon Parliament to lay out he (Mr. Chichester Fortescue) knew not how many millions of public money for the sole purpose of saving a certain amount of property on that part of the coast. Those interested in that property were bound to find the means of doing that; but they had never shown that they thought it worth while, for the protection of their property, to contribute, by a system of passing tolls, or out of the Mercantile Marine Fund, or in any other way, to the expense of constructing a harbour of refuge between the Fern Islands and Flamborough Head. They did not appear to think that a single harbour of refuge on that coast would save anything like an amount of property commensurate with the outlay upon its construction. The national interest in that matter was not so much the preservation of property as the saving of life, and on that point he would give the House a few facts taken from the last official *Wreck Register.* It appeared that, during the 10 years ending in 1871, the number of lives lost on the part of the coast referred to by the noble Lord, from all causes, was 285. Going northwards, from the Fern Islands to Buchan Ness, the lives lost in the same period were 258; and from Buchan Ness to Cape Wrath 253. Coming southwards, between Flamborough Head and the North Foreland, 930 lives were lost in the same 10 years. That was not a portion of the coast destitute of harbours of refuge if they could be used to save a ship in distress, but possessing the refuges of the Humber, Yarmouth Roads, and the Thames. Going round the coast, between the North Foreland and Land's End—of course, including the harbour of Portland, and others—734 lives were lost in the same period. From Land's End to St. David's Head—between which there was the Bristol Channel, a natural place of refuge—the lives lost were 981. Then proceeding to that part of the coast which was really proved to be the most dangerous to life—namely, the kind of quadrilateral formed by the coast of England and Ireland, between St. David's Head and Carnsore Point, and between the Mull of Cantire and Fair Head, the number of lives lost was 1,148. Why, with these facts before them, were they to single out the 200 miles of coast between the Fern Islands and Flamborough Head, as requiring special care and special expenditure at the hands of Parliament? The question of how far harbours of refuge had contributed to save life had been carefully considered some years ago under the auspices of the right hon. Gentleman the then Member for Ashton (Mr. Milner Gibson), and he himself had had it looked into since; and here he must protest against the language used by the noble Lord in reference to the Memorandum of the Board of Trade on that subject, presented in 1864. That Memorandum—a very able and careful one, founded on great knowledge and research—was no doubt drawn up by the Permanent Secretary of that Department, an eminent man, and very competent to consider and analyze those facts, with the advice and assistance of a post-captain of the Navy and a captain of the Mercantile Marine, who were the professional officers of the Board of Trade, and also under the orders and constant supervision of Mr. Milner Gibson, than whom no Minister who had filled the same office for many years past was better qualified to deal with the details of such a matter, or felt a greater interest in and sympathy with the cause of the sailor. No doubt the Memorandum severely criticized the Report of the Royal Commission on Harbours of Refuge, and it conclusively showed that the Select Committee on that subject, and the Royal Commission which followed it, having unfortunately had their attention directed exclusively, and with peculiar enthusiasm, to the question of harbours of refuge, and not looking into any of the other causes of loss of life at sea, or the means of preventing it, as was now being done, had been led to inadequate and one-sided conclusions. The analysis made in that Paper of the facts given by the Royal Commission, and also contained in the *Annual Wreck Registers* of the Board of Trade, went to show that the saving of life that could have been effected under any conceivable circumstances by a harbour of refuge at Filey, or anywhere on that coast, would have been so insignificant as not to make it worth while, with a view to prevent it, to incur the great and uncertain expenditure of public money which was proposed. Assuming not that one harbour of refuge, but that three had been in existence on that coast, it was found at that time, after a minute and careful examination of every case of wreck and casualty other than collision, that something like an annual average of 15 lives and £28,000 worth of property might have been saved. Lately, the professional adviser of the Board of Trade had carefully examined into the casualties which had occurred on the coast in question from 1862 to 1872, and he gave, as his opinion, that out of the total number of lives lost during that period, between Flamborough Head and Fern Islands, in only three cases, so far as an opinion could be formed, could the loss have been prevented by the construction of a harbour of refuge at Filey. The fact was that harbours of refuge could be made available only for vessels in a certain position, and under certain conditions of wind, and that the greater proportion of ships were unable to avail themselves of the protection which the very best harbours afforded. Among the measures, therefore, which the Government might deem it necessary to adopt for the protection of life at sea, harbours of refuge were not likely to form a very important feature. The hon. Member for Derby (Mr. Plimsoll) even with all his zeal in dealing with the subject, had not said a single word with reference to the establishment of harbours of refuge, and had shown them that the loss of life at sea was attributable to a very different cause—the condition of the ships themselves. Since the question had been inquired into by a Royal Commission, and a Select Committee, the House of Commons had over and over again declined to bind the Government to lay out large sums of money on mere harbours of refuge. Indeed, the original Committee never intended that the Government should lay out a large sum in the construction of harbours of refuge; but what was intended was that the shipping interest should contribute two-thirds of the cost. The shipping interest, however, repudiated the proposal, and they had consistently declined from that time to this to lay out money for the purpose. If, therefore, a great national harbour were to be established on the north-east coast of England, it would be necessary to start from a totally different point of view—that of national safety. Personally, he thought there was much to be said in favour of the erection of a great naval station on that coast, but if we were ever to have a Portland there, it must originate from the point of view of national defence mainly, though it might be made to serve incidentally for the advantage of the Mercantile Marine. He could not, he might add, understand why the noble Lord should have made so animated an attack on the Commissioners of the Tyne, who, he was bound to say, had done wonders in the improvement of that important river. The Commissioners themselves stated that during the year 1871-72 over 1,000 vessels had found refuge within it, and there could be no doubt that it presented the most noteworthy example of river improvement within the bounds of the United Kingdom. It was said that there were nothing but bar-harbours on the north east coast, and this was the main foundation on which the demand for an east coast harbour had been rested, but he was assured that now almost at all times large vessels could get into the Tyne and the Tees. It had been truly said, that if harbours of refuge were wanted at all, they were wanted for bad ships; whilst now they were doing their best to diminish the number of bad ships, for through the exertions of the hon. Member for Derby, the mind of the country was now strongly directed to the question whether they could by legislation diminish the number of bad ships at sea, and consequently diminish the loss of life. No doubt, the hon. Member had occasionally done great injustice in his remarks to people who had his cause much at heart, and he seemed determined to make a sort of enemy of the Board of Trade, though they desired to contribute all that they could towards the end which he had in view. The noble Lord said that because he had given Notice of his intention to move for a Select Committee, he must persist in doing so, notwithstanding the appointment of the Commission; and he treated Commissions as shams. [Lord CLAUD JOHN HAMILTON: Only under the present Government.] That probably meant, that if the Commission recommended large expenditure for problematical objects, the Government would resist such expenditure as it had done before; but he had not the slightest conception that they would do anything of the kind. If the noble Lord had not confidence in them, there were few who would share his distrust. But the Royal Commission was actually at work at the present time, inquiring not merely into the state of the north east coast of England, but into the whole coast. If the noble Lord obtained the Committee he asked for he would have to examine the same witnesses and analyze the same Returns as the Duke of Somerset and his Colleagues of the Royal Commission had done, and were now doing. It appeared to him (Mr. Chichester Fortescue) that that would be worse than loss of time and labour, because it would have the effect of introducing great confusion into the inquiries that were being pursued. He confessed that he had made a great strategical mistake in not nominating the noble Lord a Member of the Royal Commission. If he had been so fortunate as to have secured his assistance, the noble Lord would have found it impossible to bring forward that Motion. He hoped, however, the House would think that the Government had done everything they could for the purpose of inquiring into the loss of life at sea and around our coasts, and would be content with the inquiry by the Royal Commission. If the noble Lord should be dissatisfied with the Report of that Commission, it would be in his power to take further action, and he would then have the additional advantage of the information which they had obtained.

SIR JOHN PAKINGTON said, he had heard the speech of the right hon. Gentleman the President of the Board of Trade with no feeling of surprise, because he had been accustomed to hear a similar speech for some years past on the same subject, but he confessed to having heard it with great regret. He (Sir John Pakington) had always taken a great interest in the subject, and he had just heard with great pleasure the effective speech of his noble Friend behind him. He thought his noble Friend had acted judiciously by altering his Motion of last year for the establishment of harbours of refuge to that of a Select Committee of Inquiry regarding the north east coast of England. It appeared to him (Sir John Pakington) that the result of the dealing with this question by the Government from year to year, was not so much the necessity of saving human life as it was a question of finance. It was true that a harbour on the north east coast of England, or at any other part, could not be constructed without great expense; but surely any expenditure of money that would result in the saving of human life and property would be freely and unanimously assented to. The late Mr. James Wilson was not the man to recommend any extravagant or unnecessary expenditure; nevertheless he had brought forward a Motion similar to that of his noble Friend. When the right hon. Gentleman opposite asked his noble Friend why he confined his Motion to the north east coast of England, he might be told that it was because it was the most unprotected part of the whole coast. [MR. CHICHESTER FORTESCUE: The figures are against you.] At all events, in 10 years 8,000 lives had been lost, which was at the rate of 800 a-year, and it was idle to say one harbour of refuge would not save them. The north east coast stood most in need of protection, for the south had Portland, and the west Holyhead, in which hundreds of vessels took refuge in stormy weather. The right hon. Gentleman the President of the Board of Trade had said that very few lives were lost on the east coast, but he could not attach the slightest importance to that portion of the right hon. Gentleman's argument. Then, with regard to the argument that a Royal Commission to inquire into the loss of life at sea had been appointed on the Motion of the hon. Member for Derby (Mr. Plimsoll), it should not be forgotten that the subject of harbours of refuge was not referred to that Commission. His belief was, that this was mainly a money question, and in that view, no doubt, it would be very costly to erect a harbour of refuge on the east coast of England, but no one, he thought, could seriously contend that such a harbour if erected would not be the means of saving numerous vessels and lives on that coast, as Portland and Holyhead did on the south and west coasts. It was because the question had not been referred to the Royal Commission, that the Motion was brought forward, and he felt it his duty to give it his support.

SIR HARCOURT JOHNSTONE, in supporting the Motion, disclaimed being actuated by any motive of a local nature, and did not wish specially to indicate Filey as the proper place for a harbour of refuge. He had studied the Blue Books on the subject from 1836 to the present time, and he had an hereditary prepossession in favour of a harbour of refuge on the east coast. Indeed, he thought it would not have been unworthy of the Government to have dedicated a portion of their surplus revenue to the construction of them on those parts of the Coast where they were most needed. The right hon. Gentleman at the head of the Board of Trade had taken good security for the safety of passengers by railway, for which the public were much indebted to him. He would ask him whether he did not think our Merchant Service and the lives of our seamen of as great importance as the safety of railways, and of the lives of those who travelled by those railways? It was notorious that when our mercantile ships were nearly worn out and had passed their proper work, they were put into the coaling trade in a condition but ill calculated to weather the winter's storms. The necessity of doing something in the way of harbours of refuge being generally admitted, he was at a loss to know why the Government took so much pains year after year to throw difficulties in the way of every attempt to effect that object. The Royal Commissioners of 1844 reported that no pecuniary considerations ought to be allowed to impede the accomplishment of a scheme of such vast importance, but nevertheless the recommendation then made had not yet been acted upon. He was on board the vessel which was ordered at that period to survey the coast, and he, of course, thought something would come of it, but he had since arrived at the conclusion that inquiries and surveys were often employed by Governments in order to shunt difficult questions. The general opinion of naval officers was, that there was no safe harbour of refuge between the Thames and the Tees, and that one ought to be established somewhere between those two great rivers, for the purpose of protecting the merchant shipping of this country, which had certainly quadrupled since the Commission made its Report in 1844, and now surpassed the commercial shipping of the United States, France, and Russia combined. He wished to say, in conclusion that he had taken up this question as one of general interest and national importance, and not as one of selfish or local advantage. He feared, however, after what occurred last night, that the Chancellor of the Exchequer would be invulnerable to any appeal of the kind.

MR. STEVENSON, as one of the members of the Tyne Commission from its origin, traced the history and defended the action of the Commission. Their works for the improvement of the river had been of the greatest benefit. They represented the whole commercial interest of the Tyne, and although last year an attempt had been made to overturn the Commission, yet it had failed. There was as great a length of tidal river above Newcastle as between that town and the sea, and one of the duties of the Commissioners had been to open the Upper Tyne to the passage of masted ships. Besides that they had spent on the Pier Works £630,000, of which £250,000 had been borrowed on ample security from the Public Works Loan Commissioners. In that and other purposes they had expended altogether about £1,350,000, only a small portion of which, and that amply secured, had been raised by way of loan from the Government. With regard to the statement made by the noble Lord the Member for Lynn Regis (Lord Claud John Hamilton) respecting the unfinished state of the piers, it was very important and also extremely difficult to ascertain what ought to be the width of the entrance, and consequently the Commissioners had resolved to wait instead of completing at once the operations which had been commenced. With regard to the present Motion, he wished to point out that since the Commissioners on Harbours of Refuge made their Report, the circumstances of the coasting trade had entirely changed. At that time ships accumulated in fleets while waiting for a favourable wind, and after they had all left port together a gale would often spring up suddenly, so that the whole coast was strewn with wrecks. At present, however, vessels did not accumulate in fleets. Again, a great change had been effected by the substitution of screw steamers for sailing vessels. Since 1859 the number of vessels engaged in the coasting trade had actually diminished, while the tonnage had largely increased. The proportion of sailing ships as compared with steamers was 85 per cent to 14 per cent in 1859; 49 per cent to 51 per cent in 1869; and only 39 per cent to 61 per cent at the present time. In addition to that the number of ships which did the work was smaller than it was formerly. The noble Lord had brought forward the number of wrecks on a much larger extent of coast than could possibly be benefited by a harbour at Filey, and the inhabitants of Bridlington thought Bridlington Bay would be a better place for constructing a harbour of refuge. Filey Harbour could never be made a successful one, as the water was for the most part shallow, and there would be a danger of the harbour silting up, especially as it would not be subjected to a scouring tide. He believed that Filey Harbour, if made, would never realize all that was expected from it, or do for the shipping of the north-eastern ports what had been done by the Tyne. In conclusion, the hon. Member expressed his opinion that the Government ought to give aid to local efforts for the improvement of commercial harbours, and to abstain from such speculative enterprises as had been advocated in the course of that evening's discussion.

Mr. STEPHEN CAVE expressed his regret that the management of the Tyne should have been mixed up with this Motion, because it was a pity that a great national question should be mixed up in any way with the conduct of any particular public body, and knowing who drew up the Report issued by the Board of Trade upon the Report of the Commissioners, he felt certain nothing had been done which was not in accordance with usage in that respect. He was also sorry that the Government had thought proper to refuse the inquiry now asked for. The question was one of considerable importance. When, a few years since, he supported a Motion brought forward by the noble Lord referring to Filey Bay, he felt the difficulty of the subject from the many arguments that might be used against that particular place. All that had been stated in the course of the debate pointed to the advantage of a fresh inquiry into the subject. The President of the Board of Trade seemed to prove too much when he tried to induce the House to believe that harbours of refuge were bad things, because the greatest loss of life occurred in their neighbourhood, and that the north-east coast could not be so dangerous as had been described because so small a loss of life took place there. The same argument was used by Mr. Milner Gibson, but it was shown at the time that there was then, as now, a fallacy lurking in the argument. It did not follow because there was a small loss of life on a dangerous coast that it was not dangerous or that it was not the cause of the loss of life. Hundreds of colliers and other vessels had been driven out to sea and lost even as far off as the coast of Scotland and the Shetlands, and yet from the want of a harbour of refuge on this coast. The question before the House was not so much whether there should be a harbour of refuge at Filey as whether there should be a further inquiry by a Committee of this House. It was a pity that the Government had refused the appointment of a Committee, which might well supplement the labours of the Commission, for the President of the Board of Trade admitted that this subject was not within their order of reference, and, which, at all events, if it had done nothing more, would have shown the maritime class that their interests were not overlooked in that House.

Mr. PEASE said, although the noble Lord the Member for Lynn Regis (Lord Claud John Hamilton) was more moderate then than on a former occasion, yet he must oppose the Motion, on the ground that the appointment of a Committee could serve no practical purpose. He denied that those who opposed the inquiry were weighing the difference between pounds, shillings, and pence, and the loss of life which annually occurred on our coasts. He thought the policy which had been adopted by the Government was a very wise one, and one from which they could not recede, having regard to public economy. Instead of spending upwards of £3,000,000 as recommended by the Commissioners of 1868, in the construction of harbours of refuge, under the Act of 1861 they had lent upwards of £2,000,000 for the improvement of existing harbours, and that money was being repaid without any expense being imposed upon the general taxpayer. Not only that, but the money had been expended with the best results in improving the entrances to the rivers on the coast in question, the funds having been obtained at a low rate of interest under the Act of 1871 from the Exchequer Loan Commissioners. Not only had the interest on those loans been regularly paid, but a fund was provided whereby the principal sums due were being annually reduced, and these harbours had been wonderfully improved. In 1860, the time of the Report of the Harbours of Refuge Commission, there were 3 to 6 feet of water at low water on the Tyne Bar; in 1872 there were 20 to 24 feet of water; and in Shields Harbour 34 to 35 feet, with 15 feet rise of tide. In 1861 there were 246 ships between 500 and 1,000 tons, and upwards, entering the Tyne—of these 8 only were above 1,000 tons. In 1871 there were 2,542 ships of this class, and of these 232 were above 1,000 tons. In 2 years 1,000 vessels had used the Tyne as a harbour of refuge. In 1866, 194 ships took refuge; in 1867, 255; in 1868, 322; in 1869, 402; in 1870, 558. At Sunderland Dock there were 11 feet of water at low water spring tides, and 15 feet rise of tide, and further improvements were in hand. Hartlepool had recently received an Exchequer Loan of £50,000, which was being spent with most favourable results. On the Tees, between 1858 and 1871, about £250,000 had been spent. The revenue in 1858 was £5,900; in 1871, £21,765. In 1859 there were 3 to 4 feet of water on the Bar; in 1872 10 to 11 feet, and constant improvement going forward. Some of the rivers and harbours, however, were burdened with prior loans at high rates of interest, borrowed from the public prior to the Act of 1861. Owing to this circumstance, the loans of these harbours were divided into two classes — those contracted before 1861, and those contracted since that date. On the first of these classes interest at 4 to 5 per cent was paid, but there was no sinking fund. The purpose to which they were applied being equally important, nationally, as that to which the Exchequer Loans were applied. The loans borrowed from the State were repaid at a rate which did not exceed that on the private loans, and which would, however, extinguish the loans in the course of a few years. If the same principle could be applied to the loans before 1861, and Parliament would allow that Act to have a retrospective action, great good would be done, and these great harbours, already national, would be free harbours. He hoped the Government would take this into their serious consideration.

Mr. WARD JACKSON supported the Motion. It had been said that the tidal rivers on the north-east coast formed natural harbours of refuge, and no doubt it was true that at certain times such rivers as the Tyne, the Wear, or the Tees, did serve as harbours of refuge, but in a strong ebb tide, and a north-east wind, no ship could get through the tremendous sea that was to be found at the mouth of such a river as the Tyne. The loans of money which had been made for the improvement of harbours since 1861, were not at all commensurate with the requirements of the coasts, and could by no means be said to obviate the necessity of forming a harbour of refuge on the coast such as was desired. He deeply regretted that the Government had seemed to throw cold water upon the construction of harbours of refuge, on the ground that rivers supplied the place of such harbours. Never could any rivers supply the place of a harbour of refuge.

Question put.

The House *divided:*—Ayes 109; Noes 95: Majority 14.

TREATY OF WASHINGTON—THE SAN JUAN AWARD.—OBSERVATIONS.

Lord GEORGE HAMILTON, in rising to call attention to the nature of the reference to the Treaty of 1846, which, under the Washington Treaty, was submitted together with the North West Water Boundary Question to the Emperor of Germany for decision, regretted that the forms of the House would not permit him to move the Resolution which stood in his name, still he had the power to call the attention of the House to the Motion of which he had given Notice—

> "That this House, whilst approving of the principle of arbitration, regrets that Her Majesty's Government allowed, upon that part of the Oregon Treaty referred to the Emperor of Germany for decision, a limited interpretation to be placed which was fatal to the just claims of the British Empire."

His Resolution was couched in strong terms—firstly, because he had grounds to justify such terms; and secondly, because he had been rebuked last night by the Prime Minister for shutting the door of repentance upon Members of Her Majesty's Government. He admitted that the rebuke was justified, but by this Motion he had given the opportunity for political penance, and had made the best reparation it was in his power to offer, for it opened the door sufficiently wide to take in the Prime Minister and the whole of his Cabinet. He wished to call attention to that part of the Washington Treaty which had never yet been discussed, by which a certain part of the Oregon Treaty was referred to the Emperor of Germany, with the result of handing over islands, the right to which had been disputed for upwards of 25 years. He did not question the decision of the Emperor, for with Papers laid before him he did not think it was possible for His Majesty to have come to any other decision, and the course which the Emperor had pursued in giving his decision without reasons was a course which might have been adopted with advantage by his brother Arbitrators at Geneva. He did not wish to blame either the American or English Commissioners, for the American Commissioners had done the best they could for their country, while the English Government had throughout directed the English Commissioners, and were evidently satisfied with the Treaty by the honours they had showered upon them. There had been long disputes concerning the proper boundary west of the Rocky Mountains, and various attempts were made to settle it, but without success. The question became somewhat pressing, as disputes were constantly taking place between the settlers of the two nations. In 1841 the British Government were anxious to have the question settled, and in 1843 began a negotiation which lasted three years, till in 1846 the Oregon Treaty was signed. That Treaty contained an Article to the effect that the Boundary

> "Should be continued westward along the said forty-ninth parallel of north latitude to the middle of the Channel which separated the Continent from Vancouver's Island, and thence southerly, through the middle of the said Channel and of Fuca's Straits to the Pacific Ocean; provided, however, that the navigation of the whole of the said Channel and Straits south of the forty-ninth parallel of north latitude remain free and open to both parties."

That Treaty had not been very long in existence, however, before it became evident that there was an ambiguity in part of the description of the Water Boundary, and that a dispute would arise as to the interpretation of the term "middle of the channel," there being three between Vancouver's Island and the Continent. In the Case laid before the Emperor of Germany there was, perhaps, an insinuation, and it would be something more than an insinuation, that Her Majesty's Government had not behaved in good faith; that they had, at the time the Treaty was negotiated, accepted that interpretation of the Treaty which was held by the American Government; that they allowed that interpretation to pass unchallenged for two years, and when they asserted that the Rosario Straits was the true channel indicated by the Treaty, the American Government was taken by surprise. But it was beyond all doubt that in 1846, the year when the Treaty was signed, the ambiguity in the Treaty had been discovered; and in 1848 Lord Palmerston, having succeeded Lord Aberdeen at the Foreign Office, wrote to the English Minister at Washington to lay before the American Government the views of Her Majesty's Government regarding the disputed point. Indeed, in 1846, Mr. Bancroft wrote to Mr. Buchanan that he had caused a traced copy of Wilkes's Chart of the Straits of Haro to be made, because it had been intimated to him that questions might arise with regard to the islands east of the Strait, and he asked for authority to meet such a claim on the threshold by the assertion that the central channel of the Straits of Haro was the main channel intended by the Treaty. Nothing further was done until 1856, when a joint Commission to thoroughly survey the region was appointed, and it was in consequence of their labours that we now had the information regarding the district which we now possessed. In 1859 Lord John Russell, who was then at the head of the Foreign Office, endeavoured to settle the dispute as to the true channel. Lord John Russell wrote to Lord Lyons at Washington, but previous to doing so he consulted Lord Aberdeen and Sir Richard Pakenham, the two negotiators of the Treaty, and they had a distinct recollection of the tenor of the conversation during the negotiation, and declared that it was the intention of the Treaty to adopt the mid-channel of the straits. Lord John Russell, having obtained the opinion of these two distinguished men, wrote to Lord Lyons, our representative at Washington, to the effect that it was the intention of the Treaty to adopt the mid-channel of the Straits as the line of demarcation, without any reference to islands, the position and indeed the very existence of which had scarcely, at that time, been accurately ascertained. Particular importance was attached at that time to one island of the group, San Juan, and Lord John Russell in his despatch to Washington stated the interests involved in its retention by the British Crown to be so important that no settlement would be accepted which did not reserve it to England. Lord Granville, speaking after we had lost the island, had declared its importance enormously overrated; but he believed Lord John Russell's view was the accurate one. Lord John Russell's proposal to refer the construction of the Treaty to an Arbitrator, who, if unable to ascertain the precise line intended, should lay down an equitable boundary, was not successful. In 1869 a similar proposal formed part of the Clarendon-Johnson Convention, but the American Senate refused to ratify that Convention, although they did not object to the San Juan Convention contained in it. It was thus plain that Lord John Russell, Lord Palmerston, Lord Aberdeen, Lord Clarendon, and Lord Stanley had all suggested one mode of dealing with the dispute, and that was that the dispute should be referred in its entirety to arbitration, and that the Arbitrator should be allowed to place upon the clause his own interpretation. At the time of the Treaty the Rosario Straits alone was the navigable channel between Vancouver's Island and the main land. In 1871 Her Majesty's Government appointed the Commission, who proceeded to Washington to settle this, amongst other differences, between England and America. There were three questions which would have to be decided by the Arbitrator. The first was — Did the word "channel," as stated by Lord Aberdeen and Sir Richard Pakenham, mean the whole intervening space between Vancouver's Island and the main land? second—If the answer was in the negative, what specific channel did the Treaty indicate? and third—Was the navigation of the whole of the space between Vancouver's Island and the main land to be free and navigable to both parties, or only the navigation of that specific channel down which the boundary line might be drawn? The American Commissioners and the English Commissioners had several skirmishes in the Conferences, and the American Commissioners suggested at last that it should be referred to arbitration to determine whether the line of demarcation should pass through the Rosario Straits or Haro Straits. The British Commissioners then proposed that the Arbitrator should have the right to draw the Boundary through the intermediate channel, but the American Commissioners objected, and the objection was accepted. The English Commissioners next proposed that all channels were to be open. The American Commissioners objected, and their objection was accepted. Thus, out of the three questions which had to be referred to arbitration, the American Commissioners were allowed to place their own interpretation upon two. He now came to the essence of the whole question—What were the chances of the Rosario Channel as against the Haro Channel? He thought it was an absolute certainty on the Haro Channel. In almost every dispute there was some one point upon which the disputants agreed. The English and American negotiators agreed upon one point—namely, that the Rosario Channel was not the channel indicated by the Treaty. That it was the channel indicated by the Treaty was the one point which the ingenuity of the Government selected to refer to arbitration, and upon which to base the English case, and with what success might be imagined. But that was not all. There was only one man in England who, by his official action, had admitted that the claim to the Rosario Straits could not be substantiated. That man was Admiral Prevost, and he was selected to lay our case, which he had himself repudiated, before the Arbitrator. He was a living protest to every argument he offered. That having been so, the state of things was this—that the British Government asked the Arbitrator to adopt a channel, when their own Commissioner had agreed that the claim to that channel could not be supported. He quite agreed that concessions should be made where necessary, but then they should be made in the form of concessions; but the Government acted upon the give-all and take-nothing principle, which for the sake of euphemism they called arbitration. They referred the one untenable point, having abandoned the other at the dictation of the American Commissioners. Were the Government really in earnest in urging our claims? He should be sorry to say that they were not, but really the whole transaction exhibited a wonderful incapacity to negotiate. He believed that our loss of these islands was caused by this—that the Government was determined to have a Treaty, and the Americans very soon found out that determination, and the more anxious the Government were for a Treaty, the more determined the Americans were to have from us as much as they could get. The consequence was, that the unfortunate British Commissioners sent to Washington became the shuttlecocks between two battledores; whereas, if they had been properly backed up in the first instance, a different result might have been obtained. But the transaction was finished, and we had lost these islands. He might be told that the Government had a very difficult case to deal with, and had made the best of a bad job, but he did not believe they could possibly have lost more than they had lost; and indeed, if they had accepted the proposals of the American Commissioners themselves, this country would have been in a better position. It might be said that the Government of 1846 or Lord Aberdeen was in fault, but, unfortunately, the Government did not accept the opinion of Lord Aberdeen, who negotiated the Treaty. It might be wrong to negotiate a Boundary Treaty where they were unacquainted with the country through which the Boundary was to run; but if that were so, was it right on the part of the Government to negotiate the Central Asian Treaty? He might be asked what was the object of his Motion, when the thing had been already done; but his reply was, that the object which he sought was to elicit the expression of a strong opinion from the House and the country, such as would render it impossible for any Government to negotiate such another Boundary Treaty. It would have been infinitely better, if we had no claim to those islands, to have plainly and honourably said, like Englishmen, that their predecessors had advanced pretensions which could not be sustained, and they would therefore abandon them. If it was necessary to make concessions, the Government ought to have taken the responsibility of making them; but he objected to questions being referred to arbitration which those who referred them knew must be decided against them. By the action of the Government the Dominion of Canada, with its great possessions upon the Pacific, would have only one channel by which they could have access to these territories, and that a channel commanded by a foreign Power who if they chose to fortify it, could render it impassable to merchant vessels in time of war. It might be said that arbitration would conciliate, but the Treaty had failed to conciliate the American people, or that portion of them who were always hostile to England, and it appeared that the first act of the United States after obtaining these islands was to fortify them. The hon. and learned Member for Oxford (Mr. Harcourt) had pointed out recently that international law was to a certain extent based upon precedent, and if these transactions were allowed to pass without comment, they would form precedents for the future. He did not believe that if the affairs of England were properly conducted, a war with America was at all probable; but if anything could bring about such a collision it was a negotiation such as he had described, which was calculated to produce nothing but contempt on the one hand, and indignation on the other. That being so, his object was, by his Resolution, which, owing to the Rules of the House he was unable to place formally before it, to prevent the possibility of any English statesman appealing to such a transaction as that to which he had called attention as a precedent. He asked the House to consider fairly and impartially the statement which he had made. A proposal had been made to limit the power of the Crown to negotiate Treaties without the sanction of Parliament and the only answer to that was, that the Government of the day negotiated Treaties upon their own responsibility, and that the House of Commons would not permit national interests to be sacrificed by them. If he should succeed in eliciting so strong an expression of opinion as effectually to deter this or any other Government, who either from incapacity or from opinions inconsistent with the duties they had to perform, might feel inclined to enter into negotiations such as he had described, from doing so, then he hoped that the House would consider that the time which he had occupied had not been wasted.

Mr. BAILLIE COCHRANE said, he was very glad his noble Friend the Member for Middlesex (Lord George Hamilton) had brought forward the question, not only because he had made a most interesting and able statement on a very important matter, but because it gave them another opportunity of reviewing the foreign policy of the Government. It was much to be lamented that the House of Commons had so seldom an opportunity of discussing the foreign policy of Ministers until it was too late to do any good. It was so in this instance. The noble Lord the Under Secretary of State would tell them that night, it was a *fait accompli;* that there was nothing more to be done, the matter having been settled by arbitration; while if they attempted to bring a question forward before negotiations were concluded, they would be told it was objectionable to do so, and might cause serious obstruction in the way of a satisfactory settlement. That was the case in the dispute in the matter of the Suez Canal which he had brought under the notice of the House, upon which he was told that when the negotiations were concluded the Papers would be presented, and that they could discuss the whole subject. The foreign policy of the Government since Lord Granville had been appointed Foreign Minister had been entirely opposed to that pursued by Lord Aberdeen, Lord John Russell, Lord Palmerston, and Lord Stanley. It was a policy of concession and humiliation, distinguished by the absence of all generous and noble principles. Two years since Lord Granville had sacrificed all the advantages we derived from our terrible war with Russia by giving up the Black Sea; and now, contrary to the whole course of our foreign policy, Russia was permitted to advance her frontier in the East some 400 or 500 miles. With reference to the question before the House, the Protocols showed that the British Commissioners were sensible of the importance not of the Haro Channel, but of the middle channel, and proposed its adoption; and yet in the face of that the Government, in referring the question to the Emperor of Germany, put out of view the middle channel, and limited his power to deciding between the Rosario Channel and the Haro Channel. After the principles which the Government had laid down for the interpretation of Treaties, it was incredible how they could have referred this matter on the terms they did to the Emperor of Germany. He was sorry to repeat that the foreign policy of the Government since Lord Granville came into office had been a policy of concession and humiliation. That House might be indifferent to it, but out-of-doors nothing had tended to render the Government more unpopular than the foreign policy which they had pursued. They felt that for the sake of preserving peace, this country, as represented by Lord Granville, would submit to any amount of humiliation. He never could read the language in which the Washington Treaty was drawn without feeling indignant and humiliated that their policy had been guided by such an absence of generous and noble principle. When the Emperor of Germany gave a decision adverse to them, one would have imagined that Lord Granville would have felt something of humiliation and regret. But the more Lord Granville was ill-treated the more it appeared that Lord Granville in his foreign policy resembled those people who were said to like those who ill-treated them. In the case of some English ships sunk in the Seine, Lord Granville wrote to the German Government, acknowledging with the most intense gratitude their condescension in paying compensation to the owners, and with regard to this question of the San Juan Arbitration, the Foreign Secretary wrote to Lord Odo Russell to convey to His Imperial Majesty the thanks of Her Majesty's Government for the friendly motives which had induced him to undertake the task of Arbitrator, and they added their sincere regret for the labour entailed upon His Majesty. If the decision had been in their favour Lord Granville could not have evinced more gratitude. They gained nothing by all this humiliation, and he had heard an American very recently say—"We can kick you now as much as we like; you will never fight." And then the noble Lord opposite, no doubt in obedience to instructions, wrote out to America urging that there should be no delay in withdrawing our troops from San Juan. It never occurred to Lord Granville that we had been done in the matter. Mr. Dallas, who was Governor in 1860, when the United States' General attempted to take possession of the Island of San Juan, wrote as follows:—

> "It was reasonable for us to propose to the American Government to settle the matter by proposing the middle channel as the boundary, and it was quite open to the latter to decline it, as was done. It is, however, inexplicable why, when the Americans refused to entertain the idea of the middle channel at all, we agreed to exclude its consideration, thus virtually abandoning the Treaty by which we both were bound. We could not have played our cards better to play the American game, and we have been befooled to our heart's content. It is to be regretted that our Government in such matters does not ask the advice of leading merchants. Neither I, nor any of my acquaintances have been asked to give an opinion on a subject we know so well, nor was Admiral Richards, the hydrographer to the Admiralty, consulted."

Now, he wanted to know, if we were right and wise in maintaining our position in 1846, why had we changed our policy? He hoped the House of Commons would be more in accord with the country for the future than it had been by paying more attention to these questions. He was certain that the policy of Her Majesty's Government with regard to them was thoroughly unpopular, and when the General Election came, he believed the opinion of the country, adverse to the Government as it was at present, would be rendered still more adverse in consequence of their foreign policy.

VISCOUNT ENFIELD said, before he came to the question immediately before the House, he must make a few observations in reply to the strictures of his hon. Friend the Member for the Isle of Wight (Mr. Baillie Cochrane). His hon. Friend, referring to the Suez Canal, told the House that if a discussion on the subject were raised he (Viscount Enfield) might say that the time was gone by and that it was now too late. But his hon. Friend should remember that about three weeks ago he offered the best explanation he could give to the House, and his hon. Friend paid him the compliment of saying that those explanations were far more satisfactory than he had expected.

MR. BAILLIE COCHRANE said, the noble Lord had then stated that the question would be decided, and the Papers presented immediately, but they had not yet been produced.

VISCOUNT ENFIELD said, he could not possibly have said that the Papers would be ready immediately, because negotiations of much delicacy were proceeding at the time, and until they were completed the necessary information could not be given to Parliament. His hon. Friend attacked Lord Granville for what he had done in the case of some ships that had been sunk in the Seine. What were the facts? As soon as the circumstances of the case were brought to the notice of the German Government, they expressed their regret for what had been done, and promised any compensation which might be considered satisfactory, and they kept their word. His hon. Friend thought it very extraordinary that a letter should have been written by the Foreign Office to the German Government expressing our thanks for what they had done; but in writing the letter we had done nothing but what was usual according to the comity observed among nations. Then with respect to the German Emperor, we had done nothing but what we were bound in duty to do, when we expressed thanks to His Majesty for having undertaken and discharged so laborious a task, and a precedent would be found in a previous case in which the late King of the Belgians had acted as arbiter, and had received the thanks of this country for undertaking such duties. But surely there was no humiliation whatever in returning thanks where, as in this case, they were justly due? Referring to the matter more immediately before the House, he regretted that his noble Friend and Colleague (Lord George Hamilton) in the latter part of his speech had so entirely denounced the principle of arbitration as a means of settling disputes between nations. He had hoped, from the wording of his Motion, that the noble Lord was of opinion that arbitration was in certain cases wise. He could have understood exception being taken to the terms of reference, but thought the desirability of arbitration was now beyond question. Still, no one could have listened to the noble Lord with more pleasure than he had, considering the terms of friendship subsisting between them. He was afraid it would be necessary to follow the noble Lord in the history of the case, and even to go a little further back than he had, because he wished to show that this north-western boundary question had always been a subject of great difficulty and intricacy. Nothing could be more protracted and intricate than the negotiations relating to Oregon Territory; they dated from the Treaty of Utrecht in 1713, by which France restored to England the Hudson's Bay Territory. The Treaty between England, France, and Spain in 1763 further defined boundaries between French and British possessions; and the Treaty between Great Britain and the United States of 1783 agreed that the Western Boundary of the United States should be defined by a line

> "Drawn from the most North-Western point of the Lake of the Woods, and from thence on a due west course to the River Mississippi, until it should intersect the northernmost part of the 31st degree of north latitude."

By another Treaty in 1764, France ceded to Spain the Colony of Louisiana; Spain retroceded that Colony to France in 1800, and France sold it in 1803 to the United States for 60,000 francs. The boundary question now began between Great Britain and the United States. Up to that time, they had not been contiguous in the north-west; but in 1806 a Convention was signed recognizing the 49th parallel as the boundary west from the Lake of the Woods

> "As far as the territories of the United States extend in that quarter, provided that nothing in the present Article shall be construed to extend to the North-west Coast of America, or to the territories belonging to or claimed by either party on the Continent of America to the west of the Stony Mountains."

That Convention was not ratified, but it showed the origin of the boundary of the 49th parallel. The Oregon country was at that time almost unknown, and the boundaries between Louisiana and the Hudson's Bay Company had never been defined. The British Government held that America could not claim north of the 40th parallel, and Americans contended that they might draw a line from the most north-western point on the Lake of the Woods claimed to be on the 50th parallel. The Treaty of Peace of 1814 appointed Commissioners to settle the position of the Lake of the Woods, but to decide nothing about territory westward. The Treaty of 1818, however, accomplished that. By Article III. it was agreed that any country that might be claimed by either party on the north-west coast of America, westward of the Stony Mountains, should, together with its harbours, bays, and creeks, and the navigation of all rivers within the same, be free and open for the term of ten years without prejudice. That term of ten years was extended indefinitely by the Treaty of 1827, but each party had power to close the arrangement by giving 12 months' notice. In 1819 Spain ceded Florida to the United States, thereby ceding all her "rights, claims, and pretensions" to the territories lying north of the 42nd parallel. By the Treaty of 1790 Great Britain and Spain had agreed that the Pacific Fisheries should be open to both parties, and that settlements made on unoccupied territories should be respected. This Treaty of 1819 introduced a further question. America contended that under it they were entitled to all territory north of the 49th parallel up to the parallel 54·40 degrees of the Russian frontier on the west coast. He would not weary the House by quoting subsequent negotiations, which were to be found described in the second British statement at Berlin, presented to Parliament this year. Taking up the thread of the narrative in 1845, he stated that the British Government then proposed arbitration, which was refused, and Lord Aberdeen's despatch showed how dangerously near war the discussion approached on that occasion. The United States offered to agree to the 49th parallel, with free ports to Great Britain south of it in Vancouver's Island. That was not accepted, and the offer was withdrawn. In 1846 Congress gave notice for the termination of the Treaties of 1818 and 1827, but before that Lord Aberdeen had instructed Mr. (afterwards Sir Richard) Pakenham, at Washington, to accept the principle of the 49th parallel; he also sent out a draft Treaty. On the 18th of May, 1846, Mr. M'Lane, the American minister here, reported a conversation with Lord Aberdeen, and understood him to say that instructions would be sent out to our Minister at Washington, but his Report differed from the actual instructions. But, unfortunately, two days after this Sir Henry Pelly, Governor of the Hudson's Bay Company, reported to Lord Aberdeen in favour of the route of Vancouver in 1792 as the boundary. In December, 1846, Mr. Buchanan reported in the same sense to Mr. Bancroft, and in 1848 the British Government proposed a line to be drawn through a channel marked in Vancouver's chart as one though which he had sailed, but that was demurred to. In July, 1848, Mr. Bancroft wrote to Lord Palmerston naming the Canal de Arro, and in November, 1848, that was again repeated. In 1856 the proposal for the Vancouver route was renewed by the British Government and declined, but a Commission was proposed, which, however, did not meet till 1857. Admiral Prevost was of opinion that the Rosario Strait must be the channel through which the boundary line should pass; but seeing that there was no probability of its being accepted, he made a counter proposition of the Douglas Channel. In 1859 Lord Russell, writing to Lord Lyons, who was at that time our Minister at Washington, said—

> "It may be proper, however, that you should make the Government of the United States understand that this proposal of compromise that you are thus instructed to lay before them is made without prejudice to the claim which Her Majesty's Government consider themselves justified in maintaining to the Rosario Channel as the true boundary between Her Majesty's Possessions and those of the United States. They offer this compromise in the hope that its acceptance by the Government of the United States may obviate any further discussion on the subject; but if it is rejected they reserve to themselves the right to fall back on their original claim to its full extent."

Lord Russell in his despatch used certain expressions which were not very palatable to the United States' Government, and nothing came of his proposal. General Harney's descent on the island in 1859 led to a joint occupation, and to further delay in the settlement of the question. In November, 1870, arbitration was mooted, and Lord Russell wrote to Lord Lyons—

> "It appears to Her Majesty's Government that the argument on both sides being nearly exhausted, and neither party having succeeded in producing conviction in the other, the question can only be settled by arbitration. Three questions would arise thereupon:—1. What is to be the subject-matter of arbitration? 2. Who is to be the arbiter? 3. What is to be the result of the decision of the arbiter? With regard to the first point, Her Majesty's Government are of opinion that the question or questions to be referred should be—What is the true meaning of the words relating to the Water Boundary contained in Article I. of the Treaty of June 15, 1846? Or, if the precise line intended cannot be ascertained, is there any line which will furnish an equitable solution of the difficulty; and which is the nearest approximation that can be made to an accurate construction of the words of the Treaty?"

It would be seen that Lord Russell never abandoned what he conceived to be the just claim of England to the Rosario Channel. The President referred his proposal to the Senate, and the Committee of Foreign Relations proposed a reference of the existing dispute "to the arbitration of a friendly Power, with authority to determine the line according to the provisions of the Treaty of June 15, 1846, but without authority to establish any line but that provided for in the Treaty." Nothing, however, was done. The Civil War absorbed attention. In the Protocol signed by Lord Stanley with Mr. Reverdy-Johnson in October, 1868, and in the Clarendon-Johnson Treaty of January, 1869, the question was again mooted; but the Treaty never obtained the sanction of the Senate, and matters remained in abeyance till 1871, when the Commissioners met at Washington. The noble Lord and the hon. Member (Mr. Baillie Cochrane) were somewhat severe upon the Commissioners, and the noble Lord had spoken disparagingly of their ability.

Lord GEORGE HAMILTON denied that he had reflected in the least upon their ability. What he had said was that the Commissioners were guided by the Government.

Viscount ENFIELD at once accepted with pleasure the noble Lord's assurance with regard to the Commissioners. From the first they had pressed for the same end, as had been sought for by all our other negotiators. They always maintained that Great Britain was fairly entitled to the Rosario Channel. The British Commissioners proposed that the Arbitrator should have the right to draw the boundary through an intermediate channel. The American Commissioners declined this proposal, stating that they desired a decision, not a compromise. It might be stated that no channel should have been mentioned; but in that case the Arbitrator might have drawn the line still further west, in the South Channel, close to Vancouver Island. If the whole Water Boundary had been left open, the Oregon question would have been re-opened, and we might, possibly, have lost the harbour of Esquimalt, one of the finest in the Pacific. It was said that scant justice had been done to Canada, but Sir John Macdonald had strongly supported the reference to an impartial arbitration, and in the division which took place in the Dominion Parliament the six representatives of British Columbia and Vancouver's Island voted for the Treaty. To sum up—Great Britain had always upheld the Rosario Channel, and the United States the Haro Channel. The British Commission in 1857, though maintaining our right to the Rosario Channel, proposed a middle channel as a compromise. The United States' Commissioner refused to accept a compromise. The American Senate, to whom the "veto" belonged, never formally agreed to it, though it had once been not unfavourably considered by the Government. And at Washington in 1871 the United States' High Commission distinctly refused the "compromise," pressing for a decision. To the party against whom a decision was given, whether in an ordinary Court of Law or in an International Court of Law, there must, of course, be much disappointment; but he very much mistook the feelings of the constituencies of this country and the opinion of the House, if admitting that the principle of arbitration was a sound, just, and good one, there was any question better calculated for Arbitration than this, which for so many years had been a cause of great jealousy, great dissension, and much heart-burning between this country and the United States. Though of course as Englishmen we regretted the decision arrived at, still, as Englishmen, we should ungrudgingly and without hesitation accept it.

MR. PERCY WYNDHAM said, he would not support the Motion of his noble Friend the Member for Middlesex (Lord George Hamilton) if it could be construed as a censure on the Imperial Arbitrator, because he believed it could be shown most clearly that the decision was most natural, and the only decision the Imperial Arbitrator could have come to under the circumstances that were laid before him. The opinion of the majority of Statesmen who were most competent to give an opinion upon the subject, was against the claim as presented by America; and he blamed Her Majesty's Government for not having insisted on the Rosario Channel, and for having taken a course which enabled the American lawyers at Berlin to show conclusively to the advisers of the Imperial Arbitrator that whatever channel was the right channel, it was perfectly impossible that the Rosario Channel could be the right channel.

MR. EASTWICK said, that in the matter of the San Juan Arbitration the Americans had obtained all they had asked for, and that we had lost all that we had contended for; but that nevertheless as all cause of discontent on the part of the former had been removed by the decision of the Arbitrator in that matter, we were fully compensated for the loss to us of territory which had resulted from that adverse judgment. That, however, did not at all prevent them from criticizing the way in which the negotiations had been carried on, and the truth was that our Government had made a mistake in the matter which they ought to have foreseen and guarded against. Under the Treaty of 1846 it was clear that the Douglas Channel, and not the Haro Channel, was intended to form the Boundary line. The expression used in the Treaty of 1842 was over and over again "Mid-channel," and there was no allusion to Rosario and Haro; and he was astonished that we should have given up the vital point of Douglas Channel. By giving it up, they had surrendered the whole matter, and it was absolute carelessness on the part of the Government to have given up that vital point. We ought never to have made any concession at all on the subject, and what the Government had done amounted to a complete abandonment of the rights of this country in reference to it. They should have stood firm on the exact words of the 1st Article of the Treaty of June, 1846, in which there was no question about either the Rosario Channel or the Haro Channel. The matter, however, was a thing of the past; and there was no occasion further to recur to it. He wished, however, to inform the House that we were adopting almost a precisely similar course with reference to the channels at the mouth of the St. Clare River, which the Americans were seeking to obtain the right to, although they belonged of right to Canada. It would be wise, in order to prevent future complications on the boundary question, were we at once to have the boundary between our North-American territory, and the territory which America had recently purchased from Russia definitely ascertained and fixed.

VISCOUNT BURY said, the deserted appearance of the House was an indication that it was not at all anxious to discuss another Motion condemnatory of the Ministry. He deprecated Votes of Censure on the Government being moved daily. It was rather too much that, after the course that had been taken yesterday, a fresh Vote of Censure should be brought forward that evening, when it was found impossible to express any decisive opinion upon it. It was trifling with the House, and, moreover, such a course was calculated to bring Votes of Censure into ridicule. The previous speaker had, without cause, seemed to find fault with the Imperial Arbitrator; but we had gone to arbitration on the subject of the San Juan Boundary of our own free will, and we ought to be grateful to the Emperor of Germany for having removed a cause of disagreement between this country and America. After complimenting his noble Friend (Viscount Enfield) on the clearness with which he had explained an intricate chain of negotiations, the noble Lord related the history of the Oregon Territory, with a view to show that prior to the Treaty of 1816, by which England agreed to a joint occupation, the Americans had no claim to it, and that their Treaties with France and Spain for the acquisition of Louisiana and Florida did not affect Oregon. Coming down to the Treaty of 1846, he remarked that the boundary, if laid down, admitted four constructions—the Haro Channel, the Middle or Dundas Channel, the Rosario Channel, or a line down the middle of the strait dividing Vancouver's Island from the main land, disregarding the archipelago of islands altogether. Only two constructions were, however, contended for—the Rosario Channel by ourselves, and the Haro Channel by the Americans. He thought this country should have insisted on putting the whole Treaty before the Arbitrator, and regretted that our negotiators gave up the free navigation of all the channels except that to be determined by the Emperor of Germany; but though the military future of Vancouver's Island had suffered a great blow from the decision, it was useless now to re-open the matter and endeavour to throw dirt at one another. For many years all negotiations with the Americans had ended in our receding and in their obtaining what they wanted. The reason was, that they had always been in earnest and we had not. They had been ready to go to war if we did not give way; while the English people—for it was not merely the Government and the negotiators—would not think of going to war. He thought it was Sir Robert Peel who said it was better to yield the Americans a few million acres than to go to war with them. Hence in the dispute as to the boundary of Maine, we gave way after considerable negotiation. On the last occasion we might, perhaps, have carried our point if we had shown that we were in earnest, and that we cared less about what was called friendship towards America than about retaining what might be the rights of England. He himself doubted whether a great nation could with safety yield any part of its rights in order to purchase the favour of another country. In the future we ought to be wise in time. As to the San Juan Boundary Line, the question was now finally closed, and it was too late to bring any accusation against the Government with respect to it; but the boundary between Alaska and our north-western Possessions in America still remain unsettled, and was referred to only the other day in the Message of the President of the United States. There would be no great difficulty if the matter were dealt with at once, but if we waited until the Americans had settled over our border, their angry passions would arise, and we should find that the boundary between Alaska and our Territory would present much the same aspect as that presented by the San Juan Boundary question. If public attention were directed to that and other important questions which were "looming in the future" the noble Lord would not have raised the present discussion in vain.

Lord JOHN MANNERS said, in his opinion, the noble Lord the Member for Berwick (Viscount Bury) had evinced great inconsistency in first censuring the noble Lord the Member for Middlesex (Lord George Hamilton) for having brought forward the question, and in subsequently pointing out that the importance of the events "looming in the future" fully justified him in submitting it to the notice of the House. It was, indeed, through Motions of that kind, which justly criticized the conduct of the Government in regard to important Treaties, that we must hope to see the prospect of more satisfactory diplomatic action in the future; and, therefore, instead of deserving censure, he maintained that his noble Friend had performed an important public duty in bringing the matter forward. The noble Lord opposite (Viscount Enfield), had made a most careful and clear statement in vindication of the course taken by Her Majesty's Government with respect to that portion of the Treaty of Washington. He (Lord John Manners) thought however, that in his historical summary the noble Lord had laid rather too much stress on the supposed fact that all the English statesmen concerned in this matter had pressed the claim of the Rosario Channel. Surely the noble Lord could not have forgotten that the Earl of Aberdeen did not mention that channel, and that in writing years afterwards to Earl Russell he stated that this particular channel was not in his mind at the time. The noble Lord opposite had therefore broken down in the most important part of his statement.

Mr. GLADSTONE: Where did the Earl of Aberdeen say that?

Lord JOHN MANNERS pointed out the passage in the Blue Book, and remarked that Lord Aberdeen referred to the Mid-channel. Now no human being could say that the Rosario Channel was a mid-channel.

Mr. GLADSTONE: I beg your pardon.

Lord JOHN MANNERS went on to say that there was no idea of fixing on the Rosario Channel under the Treaty of 1846. The Treaty of 1846 required that, in Sir Richard Pakenham's words, "a line should be traced along the middle of the channel," meaning the whole intervening space that separated the Continent from Vancouver's Island. Lord Aberdeen and Sir Richard Pakenham communicated their opinion on this point to Lord Palmerston. Lord John Russell, in 1859, adopted the same line. The one point now at issue was, whether the English Government were wise in 1871 in receding from the position they had taken up, and in not pressing for an open instead of a restricted reference. With great respect to the noble Lord the Under Secretary for Foreign Affairs, he had not shown that the conduct of Her Majesty's Government in yielding at the instance of the American Government the point of an open reference was either wise or justifiable, and his noble Friend the Member for Middlesex (Lord George Hamilton) had done good service in calling attention to that most material branch of the subject. Point after point had been yielded by Her Majesty's Government to the American view of the case; and so long as an impression prevailed that our Government in negotiating with the United States put forward claims in order that they might be withdrawn on the slightest show of opposition, the result was most unfortunate for the best interests of the country. He knew no course so likely to prevent a repetition of such transactions as the discussion so usefully introduced by the speech of his noble Friend the Member for Middlesex.

Mr. GLADSTONE said, he would not enter into the question of the North-Western Boundary between Great Britain and the United States—not because it was not a proper subject for discussion in Parliament—but because he did not think that any advantage would arise from his entering into that discussion. He would look to the main proposition of the noble Lord the Member for Middlesex (Lord George Hamilton), and then state his views upon it. When they looked at the Motion of the noble Lord, it was obvious that a question would arise upon it, and that those who were opposed to it would challenge the Motion on its foundation. It had been said that the time had passed when the Treaty of Washington could be usefully handled in the way of criticism upon the proceedings of Her Majesty's Government, but that was a matter on which it did not behove the Government to dwell. He regarded that and every other part of the Treaty of Washington as a legitimate subject of criticism and objection. It would, moreover, have been difficult to criticize the negotiations on this point at a much earlier period, because the tendency of some of the criticisms heard that night would have been far from advantageous to the public interests if they had been made before the Arbitration at Berlin came to an end. The noble Lord the Member for Middlesex said that in a recent debate, he (Mr. Gladstone) complained that he had shut the door of repentance against the Government, whereupon he claimed credit that by the Motion he was now making he intended to enable the Government to do penance for themselves and set themselves right in the Court of Conscience. What, however, the noble Lord did on a former occasion was to deny the Government the privilege of leaving what he (Mr. Gladstone) declared to be the path of vice for that of virtue, and now the noble Lord wanted the Government, when they were walking in the paths of virtue, to travel over to the paths of vice. The noble Lord had therefore appeared to-night in the character of a corrupter of the morals of Her Majesty's Government. The Motion of the noble Lord impugned the conduct of the Government in allowing a limited interpretation to be placed on that part of the Oregon Treaty which was referred to the decision of the Emperor of Germany. The noble Lord objected to the limited reference, but he ought first to have shown that it was in the power of Her Majesty's Government to obtain an unlimited reference. If it were not, then the question arose, first, whether the limited reference to which the Government consented was the most legitimate and reasonable that could be chosen, and, next, was it one which the Government were wise in choosing, rather than not to have any reference at all? He (Mr. Gladstone) held that it was wise to have a limited reference rather than have no reference at all. We had four or five controversies open with the United States, and were on the point of closing them all, with one exception. Those questions were—with regard to Canada, with regard to the Fisheries, with regard to the United States claims upon England for occurrences during the war, and with regard to British claims upon the United States for occurrences during the war. When these controversies were—excepting one—apparently on the point of being brought to a satisfactory issue, then the question arose whether all that had been done in respect to them was to be nullified because they would accept no reference in respect to the Oregon Treaty, except a reference which would be in the nature of a commission to the Emperor of Germany to settle the whole matter as he thought fit; an unlimited reference which would have released the Arbitrator from having regard to the general words of the Treaty and thrown him back on the general principles of equity. Why, the Government would have done despite to the general feeling of the country, and met with universal condemnation from every quarter of the House, if they had taken a course so unwise and imprudent as to decline to admit any reference of the Oregon Boundary and the San Juan Channel to peaceful arbitration, and the only reference possible was one conceived in such terms as to make the Emperor of Germany master of the whole subject to decide it as he pleased. Was, then, the particular reference an unwise and injudicious one? The noble Lord's line of argument, too, was against the Government accepting the limited reference, and there was no doubt he would have had a very good case, if he could have established his basis on facts. He (Mr. Gladstone), however, denied his main proposition, for the noble Lord said the Government should have placed before the Emperor of Germany a reasonable alternative, and that whereas the Government had never contended that the Rosario Strait was that which best fulfilled the conditions of the Treaty the Government marched to certain defeat. Instead, however, of never setting up the Rosario strait as the true and legitimate interpretation of the Treaty, he asserted that the Government had never set up any other strait from the time when they knew enough of the subject to set up any strait or boundary at all. The language of Sir Richard Pakenham in 1859, and of Lord Russell in his despatch, had been quoted to show that Lord Aberdeen in giving his recollection of what occurred in 1846—and no man's memory was more trustworthy, no man's habit of mind was more cautious and circumspect in any matter of business—declared it to be the intention of the Treaty to adopt the Mid-channel straits as the line of demarcation, without any reference to islands, the very existence of which at that time had hardly been accurately ascertained. Upon that statement was founded the extraordinary inference that the British Government had never contended for the Rosario straits. Now, what Lord Aberdeen said was, that at the time the Treaty was made, not being acquainted with the precise topography, a reservation was made in general terms on behalf of the Mid-channel, though referring to no channel in particular. When, however, in process of time fuller information was obtained with respect to the distribution of land and islands and the course of waters in that region, the British Government contended, steadily to the end, that the Rosario channel was that which best corresponded with the terms of the Treaty, and, therefore, for the fulfilment of the Treaty, ought to be definitely adopted as the boundary. He could not suppose that the noble Lord was prepared to question that proposition. It was so plain upon the face of the whole documents, it was so entirely without plausible ground of objection, that he did not know whether he was justified in dwelling upon it in any detail. But the extraordinary course of argument which had been adopted compelled some reference to what had been said. The hon. Member (Mr. Percy Wyndham) quoted from the speech of the American counsel at Berlin, who, following the practice of counsel on this side of the water, did not, indeed, misquote the words of the person whose authority he desired to enlist, but attached to those words an interpretation which was not the true sense or meaning, but was his own construction of the meaning.

Mr. PERCY WYNDHAM said, he had quoted the very words of Sir Richard Pakenham as they were cited by the American counsel.

Mr. GLADSTONE said that those words did not in the least serve the purpose of the hon. Member. Sir Richard Pakenham said—

"The conditions of the Treaty, according to their literal tenour, would require the line to be traced along the middle of the channel, meaning the whole intervening space which separated the Continent from Vancouver's Island."

Sir Richard Pakenham did not commit himself to anything with respect to the Rosario Channel; But the American counsel, who must have poisoned the mind of the hon. Member, ingeniously and boldly went on to say—

"Thus Sir Richard Pakenham rejects entirely the so-called Rosario channel as the channel of the Treaty."

Now, Sir Richard Pakenham signed the Treaty, but did not negotiate it, and as the negotiator of the Treaty, he would necessarily have been the person most conversant with its terms; but the Treaty was drawn in this country, and signed in America by Sir Richard Pakenham simply as the agent of the British Government. Those who were concerned in the matter at home did not know the minute topography of the region with which they were dealing and he thought they had made a mistake; but he was far from blaming them for what they did, indeed, he was one of the persons who were jointly responsible. He, however, believed it was the best settlement of which the circumstances admitted, for the American Government would not consent to an unlimited reference; but at the same time, he would admit that it would have been for the interest of this country to have obtained such a reference. Nor did he think our case for the Rosario Channel a very strong case. But our Commissioners used every effort to obtain an unlimited reference, and such a reference was opposed from the first, with one exception, by the American Government, and that was in 1857, when the Douglas Channel was proposed as a compromise by the English Government, the American Government refusing to accept it. The exception was when the Reverdy Johnson and Clarendon Treaty with reference to the San Juan Water Boundary was recommended to the Senate by the Foreign Affairs Committee. The Senate, however, did not adopt that Treaty, and the American Government at once resumed its old position, refusing an unlimited reference, and leaving us to choose between a limited reference and no reference at all. Having that alternative, Her Majesty's Government determined that a limited reference was better than none at all; and the question arose what the limited reference should be. The noble Lord seemed to think the Douglas Channel should have been taken as our reference. But the Douglas Channel had only been proposed by us as a compromise. It was stated by Her Majesty's Government that that offer was caused by no change of opinion on their part, but by their desire to settle the question, and Lord Russell, in 1859, expressly declared that the offer was made without prejudice to the claim, which the British Government considered themselves justified in maintaining, to the Rosario Channel as the true boundary. The contention of the British Government having thus been in favour of the Rosario Channel, were there any natural features in the case of the Douglas Channel which would have justified the British Government in saying it answered the terms of the Treaty? Whatever else the Treaty meant, it meant the principal channel between the Continent and Vancouver's Island—the channel which was most suitable for navigation. Consequently, in the British Argument stress was laid upon the depth of water, the breadth of the channel, the convenience of access and egress—upon all those natural features, in short, which, as the British Government thought, recommended the Rosario Channel as satisfying the description in the Treaty; but the Douglas Channel was greatly inferior either to the Rosario or the Haro Channel. It might have been taken for the sake of compromise; but it entirely failed to satisfy the main idea of the Treaty of 1846—namely, that it should be the principal channel marked out for the course of navigation. In Admiral Richards' Report upon the Douglas Channel, he said—"The middle channel, though inferior in capacity to the Rosario and Haro Channel, was perfectly safe for steamers." Admiral Richards went on to say that the channel was open to the same objection for sailing vessels, and in a greater degree, in consequence of its width, which was not more than a mile. Then he pointed out that on the eastern shore there was a rock to be avoided, called the Reed Rock—"a dangerous patch with 12 feet of water on it." The gallant Admiral proceeded with his agreeable description of this navigable channel—"The tide sets rapidly over these rocks." [Lord GEORGE HAMILTON: The word "navigable" does not occur in the Treaty.] True, but the Treaty evidently meant the Channel which, from its natural features, was the safest for navigation; and this was a channel having rocks covered with water, with the tide setting rapidly over them, with its "southern entrance only three-quarters of a mile wide," its "tides strong" and "its bottom very irregular." His (Mr. Gladstone's) contention was that when the Treaty spoke of the middle of the channel it meant the main channel, and assumed that there was but one principal channel. Yet that narrow, rocky, dangerous, insidious, comparatively insignificant channel was that for which the noble Lord said we should most stoutly have contended as satisfying the conditions of the Treaty, which was framed avowedly in ignorance of the geographical details. Why, any Government pursuing such a course would have made itself little short of ridiculous, and would not only have incurred defeat before the Arbitrator—a thing which might happen to anyone, however just his cause might be, but something like disgrace in the face of any Arbitrator who really knew what he was about. He regretted that the question could not be more fully discussed, but he fully agreed with the noble Lord the Member for Berwick (Viscount Bury) that it would not be fair to estimate the importance of the subject by the number of hon. Members to be found on the benches when the debate was going on. The labours of that House were such that a very large number of its Members were compelled to find relief and relaxation when they could, and many things were allowed to pass in their absence which they would dignify with their notice and personal presence, but for the extreme pressure of their personal labours. He did not deny the importance of the question or complain of the criticism which had been indulged in upon the conduct of the Government; but the noble Lord himself could not venture to contend that we should have been right in breaking off with America on the whole of this great negotiation, rather than admit the limited reference—and a limited reference only America was willing to accede—and in choosing the ground of that limited reference, Government had chosen the only ground which it could select with prudence and honour. When it was their duty to go before an Arbitrator with two alternatives, and two alternatives alone, Government had no course before it in prudence except to assume the argument which had been the Argument of the British side from the commencement of the controversy, and to refer to the German Emperor that point, upon which he had come to a perfectly legitimate decision, between the Haro Channel, for which America had contended, and the Rosario Channel, which had been the object of the desire of the British Government. He did not believe that the Argument on the British side could possibly have been better maintained than it had been, and that desire had been pursued with all the seriousness and earnestness and force at their command. If they lamented the chances of Arbitration, at all events they were better than the chances of war. They could not but acknowledge, however, that in this instance the natural mortification of disappointment was not aggravated in the slightest degree by any mistrust of the perfect good faith of the German Emperor, or by anything like astonishment or surprise at the conclusion to which, at the end of a difficult inquiry, he had, with perfect honesty and with every instrument of careful investigation, been led to arrive.

Main Question, "That Mr. Speaker do now leave the Chair," put and *agreed to.*

SUPPLY.—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £5,247, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain Officers in Scotland, and other charges formerly paid from the Hereditary Revenue."

MR. BOWRING moved the omission of the item £197 13*s*. for Queen's Plates. He believed the vast majority of the population of Scotland objected to the continuance of this Vote. In 1869 it was carried by a majority of 191 to 73; but the following year a great change took place in the views of Scotch Members on the subject, and owing to their almost unanimous opposition, the vote was withdrawn. It was not proposed at all in 1871, but was restored to the Estimates in 1872, in consequence of a round-robin to the Government, said to have been drawn up by the hon. Member for Berwickshire (Mr. Robertson). On that occasion the vote was carried by only 116 to 78, and that mainly because the Government were supported by hon. Members from Ireland who were afraid lest they should lose the similar vote for that country. Queen's Plates in England were paid for out of the Civil List, but in Scotland and Ireland they were not Queen's Plates at all, but Parliamentary grants which ought to be struck off the Vote if for no other reason than this, that instead of tending to improve the breed of horses, they acted precisely in a contrary manner; for, as a rule, nothing but second-rate animals contended for them. In addition to this he objected to a Parliamentary recognition of horse racing and the betting and gambling which always accompanied it. He should certainly take the sense of the Committee against the item.

Motion made, and Question proposed,

"That the Item of £217 13*s*. for Queen's Plates, be reduced by the sum of £197 13*s*."—(*Mr. Bowring.*)

MR. ALDERMAN LUSK said, he had no desire to find fault with racing, or say that it was immoral; but he thought the money was thrown away in a paltry and miserable manner, and that they should either give a proper prize to be competed for, or none at all. In four races in England last year there was not a single horse found to run for the Queen's Plates; and at the same time, in the case of the Scotch Queen's Plates, only two or three horses ran for each; and not a good horse in the lot.

MR. J. C. HAMILTON hoped the Vote would not be rejected, because England and Ireland had their Queen's Plates voted without objection.

MR. MACFIE said, the withdrawal of such grants from Scotland had caused much remark in the part of the country with which he was connected. As a Scotch Member he objected to his country being singled out for withdrawal.

MR. DILLWYN, while thinking the question ought not to be viewed as a national one, said, he did not think the money was required, and should therefore support the hon. Member for Exeter's proposal.

Sir PATRICK O'BRIEN, who spoke amidst considerable interruption, said, that when hon. Members below the gangway talked of economy, it reminded him of an excellent saying he had read in *The Morning Post* about 20 years ago, that "time was a public common, on which every man turned out his own donkey to graze." He maintained that the question should be regarded in relation to the whole United Kingdom, and not to any single portion of it merely. He should therefore vote in favour of granting the Queen's Plates to Scotland, the people of which appeared to desire their continuance, although their representatives on a former occasion had advocated their withdrawal.

Sir ROBERT ANSTRUTHER said, he did not object to the hon. Gentleman grazing his own donkey, but he did object to him grazing it upon Scotch grass. He believed that those Plates, so far from encouraging an improved breed of horses, encouraged a breed of wretched animals that were a disgrace to the country.

Mr. R. N. FOWLER objected to the Vote, on the ground that great evil resulted from the extent to which racing and betting were carried in this country, which had resulted in the ruin of many men in high position.

Mr. PEASE also objected to the Vote, because it was absurd to suppose that the vote of this small sum could encourage the breed of horses in this country.

Question put.

The Committee *divided:* — Ayes 52; Noes 63: Majority 11.

Original Question put, and *agreed to.*

(2.) £10,512, to complete the sum for the Fishery Board, Scotland.

(3.) £6,054, to complete the sum for the Department of the Registrar General of Births, &c., Scotland.

(4.) £4,945, to complete the sum for the Board of Lunacy, Scotland.

(5.) £15,192, to complete the sum for the Board of Supervision, Scotland.

Mr. RYLANDS asked for some explanation of the functions of the Bible Board.

The LORD ADVOCATE said, the question was a very reasonable one, but the name "Bible Board" was a misnomer. The Board consisted of several gentlemen who had got by patent the exclusive right and privilege of printing the Bible and Prayer Books in Scotland. Formerly the printing of Bibles was a monopoly in Scotland as in England, the monopoly being given to the Queen's printers by Royal patent. With a view to put an end to the monopoly in Scotland some 30 years ago, the system was hit upon of giving a patent to certain Commissioners, on the condition that they should grant licences to all publishers upon their complying with certain conditions which the Royal Warrant specified in order to secure the purity of the text. The Bibles were now printed by very respectable publishers, and he signed from 40 to 60 licences every year. All the expenses connected with the Commissioners' work was a salary of £600 to a secretary, and the salary of the law agent who had to prepare the licences.

Vote *agreed to.*

(6,) Motion made, and Question proposed,

"That a sum, not exceeding £5,791, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland and other Expenses."

Mr. TREVELYAN moved that the Vote be reduced by the sum of £1,562 for Queen's Plates for Ireland.

Motion made, and Question proposed,

"That the Item of £1,562 for Queen's Plates, be omitted from the proposed Vote."—(*Mr. Trevelyan.*)

Sir PATRICK O'BRIEN defended the Vote, and suggested that the whole amount should be handed over to the Turf Club to distribute as they might think fit.

Mr. WHALLEY said, that this money might be most usefully applied in the form of prizes for horses at agricultural shows.

Sir HENRY STORKS was of opinion that these Plates did a great deal of good in Ireland by encouraging the breed of horses on the part of gentlemen who encouraged racing. The Committee would appreciate the interest which the Government had in the horses produced in Ireland when he stated that every regiment of cavalry in the service, except one, was mounted in Ireland; and he attributed the excellent horses they got from that country in a great degree to the stallions which ran for these Plates.

SIR DAVID WEDDERBURN supported the Motion of the hon. Member for the Border Burghs (Mr. Trevelyan).

MR. MUNTZ thought the money might be better applied in some such matter as suggested by the hon. Member for Peterborough (Mr. Whalley), but as the Scotch Vote had been agreed to, he must reluctantly vote for the Irish Queen's Plates.

THE MARQUESS OF HARTINGTON expressed his belief that the breed of horses had been and was being greatly improved by the practice of horse racing; he should be sorry, therefore, to see Queen's Plates abolished, as they were a national recognition of the sport. He thought, however, that they might perhaps be appropriated in a more satisfactory manner among the four Provinces than they were at present.

Question put.

The Committee *divided:* — Ayes 43; Noes 65: Majority 22.

Original Question put, and *agreed to.*

(7.) £24,215, to complete the sum for the Offices of the Chief Secretary to the Lord Lieutenant of Ireland.

(8.) £250, to complete the sum for the Boundary Survey, Ireland.

(9.) £1,985, to complete the sum for the Office of Commissioners of Charitable Donations and Bequests, Ireland.

(10.) £23,096, to complete the sum for the Department of the Registrar General of Births, &c., Ireland.

(11.) £91,200, to complete the sum for the Local Government Board, Ireland.

(12.) £4,394, to complete the sum for the Public Record Office, Ireland.

(13.) £22,326, to complete the sum for the Office of Public Works, Ireland.

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

AGRICULTURAL CHILDREN BILL.

[BILL 8.] COMMITTEE.

(*Mr. Clare Read, Mr. Pell, Mr. Akroyd, Mr. Kay-Shuttleworth. Mr. Kennaway.*)

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 3 inclusive, *agreed to.*

Clause 4 (Interpretation.)

COLONEL BARTTELOT moved an Amendment, to the effect that the age under which children could not be employed should be 10 instead of 12 years.

Amendment proposed, in page 1, line 16, to leave out the word "twelve," in order to insert the word "ten."—(*Colonel Barttelot.*)

MR. BRAND, in opposing the Amendment, said, he gave it his most unqualified dissent. Indeed, he should rather have increased than decreased the age, for he should move an Amendment that 14 was the proper time to fix. He also wished to increase the age for carter's boys from eight to ten years of age.

MR. CLARE READ believed the provision in the Bill hit the happy medium, and therefore supported the clause as it stood.

MR. BRUCE said, he approved of the proposed Amendment of the hon. Member for Herts (Mr. Brand), on the ground that if education was to take any hold of the children, it was desirable that the age should be increased instead of being diminished, as it would be by the proposition of the hon. and gallant Member for West Sussex (Colonel Barttelot).

Question put, "That the word 'twelve' stand part of the Clause."

The Committee *divided:* — Ayes 38; Noes 48: Majority 10.

On the Motion of Mr. ASSHETON CROSS, Amendment made, by inserting the word "thirteen," in place of the word "twelve," just struck out.

Clause, as amended, *agreed to.*

Clauses 5 to 10, inclusive, *agreed to.*

Clause 11 (Penalty on offences against Act.)

On the Motion of Colonel BARTTELOT, Amendments made in page 3, line 39, by striking out *five pounds* and inserting "two pounds;" and in line 41 by striking out *one pound*, and inserting "five shillings."

Clause, as amended, *agreed to.*

Remaining clauses and Schedule *agreed to.*

Bill *reported;* as amended, to be considered upon *Monday* next.

MARRIED WOMEN'S PROPERTY ACT (1870) AMENDMENT BILL.—[BILL 7.]

(*Mr. Hinde Palmer, Mr. Amphlett, Mr. Osborne Morgan, Mr. Jacob Bright.*)

COMMITTEE. [*Progress 25th April.*]

Motion made, and Question proposed, "That the House do now go into Committee upon the said Bill."

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, 5th May, 1873.

MINUTES.]—*Sat First in Parliament*—The Lord Churston, after the death of his grandfather.

PUBLIC BILLS—*First Reading*—Rock of Cashel * (90); Australian Colonies (Customs Duties) * (91); Tramways Provisional Orders Confirmation * (93).

Second Reading—Fulford Chapel Marriages Legalization * (82).

Third Reading—Supreme Court of Judicature (89), and *passed.*

GAS COMPANIES BILLS—THE PRICE OF COAL AND GAS.—OBSERVATIONS.

LORD REDESDALE called attention to certain Bills introduced this Session by Gas Companies for a permanent increase in their maximum charges on account of the sudden rise in the price of coal within the last 12 months, and to the inexpediency of granting such an increase even in cases in which some immediate addition to the present rates may be properly conceded, as it may be reasonably expected that the late increase in the price of coal may not be permanent. Now, he thought it extremely desirable that the House should express such an opinion on this matter as would be likely to lead to a uniform course of action by the Select Committees before whom the Bills of those companies would come. He must say that he did not think what they asked for should be conceded as a matter of course. These companies, like other companies, were speculative bodies which had obtained from Parliament concessions which were made to them on terms which included a maximum price, and they must take the consequences. Some of the Bills might come up from the Commons as unopposed Bills, and in this case he could act uniformly with respect to their provisions; but when they came before the Select Committees it would not be well to have one Committee doing one thing and another Committee another thing. He was quite willing to admit that if, as regarded the price of coal, matters remained for some time as they were at present, there might be reason in some cases for fresh legislation to enable Gas Companies to carry on their business, which at the maximum price allowed by their existing Acts they might not be able to do. But the increased price of coal had not as yet lasted long enough to justify a general increase in the maximum which the Gas Companies were allowed to charge;—and it must be borne in mind that many of those companies had long contracts, under which they would continue for a long time to come to be supplied with coals at the old rates. In the case of those Companies clearly there was no ground for asking for any increase of their maximum. Again, in many instances the Gas Companies had been making very large dividends, and were perfectly well able, with good management, to carry on their works at a profit, though, perhaps, for the next half-year or so they might not be able to make such profits as they divided in past half-years. He did not think that a reduced dividend, where there was still a profit, a sufficient ground on which to base an application to Parliament for an increase of maximum. It must be remembered also that if Gas Companies had recently been paying a higher price for their coal, they had been receiving a higher price for their coke. The whole matter was a difficult one, and therefore he thought an expression of opinion in their Lordships' House for the guidance of the Select Committees when the Bills came before them would be of advantage.

THE DUKE OF RICHMOND said, he entirely concurred in what had fallen from his noble Friend the Chairman of Committees. He thought it very undesirable indeed that in consequence of the present price of coal these large Companies should come for powers to make a permanent increase in the price of their gas, while the enhanced price of coal might not be permanent. At the same time, while he thought the larger Companies had no sufficient justification for such a course, the case might be different with some of the smaller and more recently established Companies. If they were obliged to go on with their present maximum at the present price of coal, they might find themselves on the verge of ruin. It struck him that the difficulty might be met by an extension of the provisions of the Gas and Water Facilities Act of 1870 by including maximum price and illuminating power as subjects in respect of which Provisional Orders might be granted by the Board of Trade. He believed no risk to the public interests would be incurred by allowing a Gas Company, or the local authorities, to come to the Board of Trade for a Provisional Order to revise the maximum price, because the Board would not issue such an order without due inquiry.

THE DUKE OF CLEVELAND doubted whether the mode suggested by the noble Duke would be a practical one of meeting the difficulty. It might be that the Gas Companies were in need of a temporary increase of their maximum; but there was nothing beyond speculation to guide them in arriving at a conclusion as to whether the increase in the price of coal would be permanent. There was considerable difference of opinion on this subject, and therefore he thought that powers ought not to be given to the Companies for a permanent increase. If an increase were to be allowed to them, it ought to be only for a limited period—say two years; and if a necessity for a continuance of such an increase should appear at the end of that period they could apply to Parliament again.

EARL GREY said, it appeared to him that if any increase in the maximum were allowed it should be only for a strictly limited period. He was of opinion also that it should be an Instruction to the Select Committees not to grant any increase until after a careful and searching inquiry. Some of those Companies were taking a very unfair advantage of the monopoly which Parliament had conceded to them, and therefore he thought some Resolution ought to be come to declaring that no Select Committee ought to grant an increase of maximum price for an unlimited period, and that in no case should a Select Committee grant any increase whatever without a strict inquiry in which it had been established by evidence that the Company had done its best to economize the production of gas. In return for their monopoly Gas Companies ought to give the public good gas and economize the production as much as possible.

LORD EGERTON OF TATTON said, there was very great difficulty in ascertaining the profits of a public Company, and whether it exercised due economy in production. If the Legislature should once sanction the principle that Gas Companies were to obtain an increase of maximum price on the ground of a rise in the price of material, there would be applications for the same powers from Companies of every kind, and he did not see how Parliament could consistently refuse the request. Any concession by Parliament such as that now asked for by the Gas Companies ought to be regarded with great caution and be very carefully considered.

EARL GRANVILLE said, he thought his noble Friend the Chairman of Committees had done great service by bringing this matter before the House, with the object, as he understood his noble Friend, of eliciting their Lordships' views in reference to the subject. Several valuable suggestions had been thrown out; but it must be admitted that the question was one of very great importance and of immense difficulty. He thought it of sufficient importance for consideration by a General Committee, which might inquire and advise the House as to the course most desirable to be taken. To increase the price of gas without necessity would be a dangerous proceeding, but it might also be dangerous to call upon the Gas Companies to supply gas at less than cost price. If their Lordships thought well of his suggestion, he would propose that a Committee be appointed to consider the general question of what rule should be acted on in the case of those applications by Gas Companies.

LORD REDESDALE thought it right to observe the circumstances were different in the cases of different Companies. It might be desirable to permit a small increase in the price for a limited time, in order to prevent some of the Companies closing their works; but as far as he was able to judge, the demand made on Parliament was unreasonable in very many cases. If their Lordships permitted him, he would think over the matter, with the view of considering whether he might not be able to suggest some course of action. If he should not be able to do so, or if their Lordships should not approve his suggestion, a General Committee might be appointed. He might mention that almost all town Corporations were now seeking to get the supply of gas into their own hands. He doubted whether that was good policy at the present moment, and would recommend those bodies not to be too hasty.

SUPREME COURT OF JUDICATURE BILL—(Nos. 14, 45, 73, 89.)

(*The Lord Chancellor.*)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3^a."—(*The Lord Chancellor.*)

LORD DENMAN moved that the Bill be read a third time this day six months. He did so in order that he might repeat his protest against the abolition of the Appellate Jurisdiction of their Lordships' House. He thought that, at all events, they ought to postpone the matter till next year.

An Amendment *moved* to leave out ("now") and insert ("this day six months.")—(*The Lord Denman.*)

On Question, that ("now") stand part of the Motion, *Resolved*, in the *Affirmative;* Bill read 3^a accordingly.

LORD REDESDALE said, that if this Bill passed the nation would lose its ancient and constitutional right of appealing for justice to Parliament in the last resort. He should therefore move an Amendment, reserving to the House of Lords its Appellate Jurisdiction in certain cases.

Earl Granville

An Amendment moved in Clause 20, page 9, line 26, after ("Privy Council") to insert—

("Except when the Court of Appeal shall be of opinion that any Appeal ought to be re-heard, in which case the Court shall order such Appeal to be referred to the House of Lords.")—(*The Lord Redesdale.*)

Amendment *negatived.*

THE MARQUESS OF SALISBURY moved to drop out a parenthesis in Clause 21. That parenthesis was in these words, "except appeals from any Ecclesiastical Court, and petitions relating thereto." The effect of his Amendment would be to hand over ecclesiastical appeals, which did not come within the scope of operation of the Bill, to the new Court of Appeal—so that all appeals, ecclesiastical and civil, would go to that Court. The most rev. Primate had urged him to put off his proposition till the whole question of ecclesiastical discipline came to be considered. But a recommendation to delay the whole question till the whole question could be considered was only a Parliamentary expression for putting it off till the Greek Kalends. It would never be brought forward because it would be something like a declaration of civil war within the Church. The question was one of the last which any Government would like to take up, and one of the last which Parliament would feel itself able to deal with. The Right Rev. Bench would not be disposed to submit themselves to the provisions of an Ecclesiastical Discipline Bill, and the other House of Parliament would be unwilling to pass such a measure for the clergy, if the Bishops were to be excluded from its operation. He desired not only to call their Lordships' attention to the evils of the ecclesiastical tribunal which this Bill left untouched, but also point out how the Bill would add to those evils. The Bill modified to a very serious degree the existing Courts of Ecclesiastical Appeal; and, unless their Lordships altered the measure in some such way as he proposed, it would put the Church in a state of great and singular embarrassment. He objected to the constitution of the tribunal before which ecclesiastical appeals were now brought for decision. He objected to the presence of the Bishops on the Judicial Committee; and he held that such objection was consistent not only with respect for the episcopal office, but also with respect for the occupants of the episcopal Bench, who were all the more worthy of that feeling because for the last 25 years they had been appointed from among the best and holiest men in the Church. He hoped, therefore, in anything he might say it would not be supposed that he was saying anything wanting in respect either to the episcopal office or to the most rev. and right rev. Prelates themselves. His objection was that the Bishops were unlearned men. They were not learned in the law, and yet as members of the Judicial Committee of the Privy Council they were called on to decide legal questions. If they were put on the Committee merely as assessors he would have no objection—his objection was that they were unlearned persons voting in a Court of final Appeal. Those who advocated the system were in this dilemma :—Was it or was it not a right thing that unlearned persons should vote in a Court of final Appeal? If it was a right thing, why should they abolish the Appellate Jurisdiction of the House of Lords? It could be for no want of power, because they had plenty of unlearned people there. But if it was not a right thing, and if they had abolished the Appellate Jurisdiction of that House because the attendance of learned Members to hear appeals was precarious, and they would not have appeals decided by unlearned persons, why should they have appeals heard by unlearned persons on the Judicial Committee? But it was not alone that Bishops were unlearned in the law that constituted his objection to their sitting on appeals. Not only were they unlearned persons, but they were persons who generally were pledged to a particular side on the questions at issue before them on the Judicial Committee. The questions in dispute were matters of their daily life. During the whole of their lives they had probably been preaching and writing, and even administering ecclesiastical discipline, with regard to questions on which, as Members of the Judicial Committee, they were asked for a judicial opinion. If the days of political trials were to come again, would it not be thought ridiculous to have the Prime Minister and the Home Secretary Judges in such cases? But Cabinet Ministers were not more pledged in political questions than were Bishops in religious questions such as those brought before the Court of Appeal. These were old objections which he had always held to be fatal to the Judicial Committee as it stood. But he wanted to point out how the Judicial Committee would stand when this Bill became law. At present the Judicial Committee had for its Members the Lord Chancellor and all noble and learned Lords who had filled the office of Lord Chancellor; the Lord President and all who had preceded him in his office; the three Chiefs of the Common Law Courts, the Master of the Rolls, the Vice Chancellors, the Lords Justices, the Chief Judge in Bankruptcy, the Judge of the Court of Admiralty, and those four paid Members who, under circumstances of considerable controversy, were appointed a year or two ago. Let their Lordships see how this Bill would work as regarded the constitution of the Judicial Committee. The paid members were to go over to the new Court of Appeal; the Vice Chancellors, as members of the Judicial Committee, would be abolished, and so would be the Lords Justices, the Judge of the Admiralty Court, and the Chief Judge of the Court of Bankruptcy. Only the three Chiefs of the Courts of Common Law and the Master of the Rolls would be left. He thought he might say that the Chiefs of the Courts of Common Law scarcely ever attended the meetings of the Judicial Committee, and the Master of the Rolls was not likely to attend in future, because he was to have other appellate work thrown upon him by this Bill. The practical result would be that besides the Bishops who had seats on it the Judicial Committee would consist of the Lord Chancellor and the Lord President, and any ex-Lord Chancellors and ex-Lord Presidents that might like to attend. Of course, if ex-Chancellors could always be called upon, the Committee might be tolerably strong in learned members; but experience in their Lordships' House proved that the attendance of ex-Lord Chancellors could not be relied on. The consequence, therefore, would be that they would have to fall back, as a Court of final Appeal in ecclesiastical causes, upon the Lord Chancellor, the Lord President, and two Bishops. Those members who were independent would not be learned, and those members who were learned would not be independent. Now take the case of political trials—in ordinary matters of civil jurisdiction the composition of the Court was of less importance. He would have the greatest confidence in the independence of his noble Friend who now filled the office of Lord President, and his noble and learned Friend who filled the office of Lord Chancellor; but those were political offices, and he was dealing with the office and not with the man when he said that when questions in which the Crown or the Executive was concerned had to be decided the independence of the Court became a matter of the greatest importance, and no one would think of putting in the Court two removable Ministers of the Crown. He did not say that questions such as those which must come before the Judicial Committee would be regarded as political questions in the ordinary sense of the term; but often they were matters of public interest, and affected the feelings and beliefs of large numbers of persons, and were therefore matters respecting which Ministers of the Crown in view of an election might be biassed. He was not suggesting that any of the successors of his two noble Friends would be biassed; but they might be suspected of it, and if recourse was had to the Act of William IV., and two members were appointed under the sign manual to act in their stead, the suspicion might attach to the members so appointed. They must remember that they were now dealing, not with the present Judicial Committee, but with what this Bill would make it—a limbless torso; and they must consider what would be the feelings of those whose cases would be decided in these ecclesiastical suits when they reflected upon the composition of the Court by which they had been condemned. Courts of Ecclesiastical Discipline depended more on opinion than any other Courts and upon the constitution of the Court depended to a very great extent the effectiveness of its jurisdiction. It had very little power. If it attempted to stem any great wave of religious feeling it would be overborne, and its power depended very much on the influence which the judgment of men known to be learned, and known to be impartial, produced on those who were interested. If, instead of having a reputation for learning and impartiality their reputation was entirely of an opposite description, their moral influence would be gone, the value of their jurisdiction would cease, and instead of closing litigation and appeasing angry feelings they would increase the former and still further exasperate the latter.

An Amendment *moved*, Clause 21, lines 36 and 37, leave out ("except appeals from any Ecclesiastical Court and petitions relating thereto.")—(*The Marquess of Salisbury.*)

THE ARCHBISHOP OF CANTERBURY said, he would first confine himself to the objections which the noble Marquess had urged against the Judicial Committee as it would stand after this Bill passed. If it would be rendered so inefficient as the noble Marquess said, he should like to know from the noble and learned Lord on the Woolsack—or from some other noble and learned Lord—how it was to perform the functions which it was still to retain with reference to important matters other than those of appeals in questions of ecclesiastical discipline. It was to retain what he might call the visitatorial power which it at present possessed in reference to Colleges and Universities, and Her Majesty had authority to refer many most important matters to the Judicial Committee. When the noble Marquess mentioned the Members of the Judicial Committee he omitted to note that it was competent to Her Majesty to summon to that Committee any other Members of the Privy Council whom she might deem fit to exercise the duties of the office. The noble Marquess objected to the composition of the Judicial Committee on the ground that the Bishops who had seats on it were unlearned, and that they were partial. It was true that in one sense they might be said to be unlearned; but if matters of ecclesiastical discipline coming before the Judicial Committee involved questions of theology, and of great intricacy, was it possible that they could administer the law without any knowledge of theology? Was not, therefore, theological as necessary as legal learning? Nay, if—as the noble Marquess put it—the questions were of such a character that any man entertaining theological opinions was likely to place himself on one side or the other, he asked whether it was not possible that for the hearing and deciding such questions the ecclesiastical Members of the Committee might be said to be more learned than the lay Members? He was not going to reveal the secrets of the Judicial Committee, but he was going to make an assertion which would be found correct when the secrets of that Committee came to be known. It was that there had been many instances in which the most learned Members of that body might have fallen into difficulties if they had not had the benefit of the advice of those unlearned Members, who — though they might make valuable suggestions on points in which law and theology were intricately intermixed—could not be supposed to be able to advise the Court on mere matters of law. He could conceive it quite possible that some noble and learned Lords who, in their legal capacity might be the ablest men in the kingdom, might still, from their ignorance of theological terms, so express themselves in a decision upon a theological point that this might be the result—and he would venture to say it would have been the result in past times had there not been ecclesiastical Members of the Privy Council to correct them—that one decision might have excluded the whole High Church party, another might have excluded the Low Church party, and a third the Broad Church party. At the least, then, ecclesiastical Members might be of use in guiding the language used in decisions by the most learned members of the legal profession. In the various cases with which he had to do, he had always found the greatest willingness on the part of noble and learned Lords to consult the ecclesiastical Members on the matters in which they could really be of use. It had not been uncommon to request the ecclesiastical Members to draw up their opinion, to distribute it among all the Members, and to pay the utmost deference to the advice of the ecclesiastical Members in the final judgment. He could hardly suppose the noble Marquess intended to divide the House, for he believed Notice of the Amendment was sent out so late that many Members of the House were not aware of the noble Marquess's intention to propose it; but it was desirable there should be a little discussion upon the subject, because it was possible that public opinion might be informed by such discussion. He was not sanguine enough to think he could convert the noble Marquess; but the remarks of the Episcopal Bench might be of use in future discussions on the subject. He quite agreed with the noble Marquess that it was right this question should be fully and fairly considered. He was himself by no means wedded to the existing Judicial Committee of the Privy Council as a Court for hearing ecclesiastical suits; he thought it was highly probable that when this Bill had become law—which it had not yet—it might be found necessary to introduce certain changes; and he should be quite ready, when they had had some experience of the working of the proposed system, to consider whether alterations might not be made in the present arrangements. But whatever alterations were made, he trusted they would not be in the character of rash innovations. The history of the process for dealing with ecclesiastical causes went back a very long way indeed, and he maintained that the mixed tribunal which at present sat in these cases represented the deliberate judgment of the Church of England in every stage in which it had existed since the Reformation. The old Court of Delegates consisted partly of ecclesiastics and partly of laymen. That Court of Delegates was subject to certain Commissions of Review appointed from time to time by the Sovereign. Usually, the Court of Review was a mixed body, consisting partly of ecclesiastics and partly of civilians. He was astonished that in the quarter where it might least have been expected, there seemed to have been a sudden conversion to the opinion that all ecclesiastical matters ought to be submitted to a purely lay tribunal. Many who were now anxious for a lay tribunal only were within human memory anxious for nothing but an ecclesiastical tribunal.

THE MARQUESS OF SALISBURY: I have never said so.

THE ARCHBISHOP OF CANTERBURY continued: He did not say the noble Marquess had said so; but he was reminded of a remark made by a noble Earl of great political experience, whose absence he regretted: On hearing that this proposal was to be made, he said he thought it a good one, but when he considered the quarter from whence it came he could not help thinking there was something at the bottom of it. There were many who, to his astonishment, advocated the actual subjugation of the whole ecclesiastical jurisprudence of the country to laymen, who a short time ago were all in favour of there being none but ecclesiastical Judges in these Courts; and he could not help thinking there was "something at the bottom of it." He believed it was this—that whereas it was now often difficult to induce the clergy to accept the decisions of the Judicial Committee of the Privy Council, it would be found much more easy to treat the decisions of this tribunal with little respect if there were none but laymen upon it. The clergy would say—"What is the value of the opinion of laymen on ecclesiastical matters? Ecclesiastics ought to decide ecclesiastical questions, and we regard the decisions of this tribunal of laymen as nothing at all." There was "something at the bottom" by which persons justified to their own minds this extreme desire to subjugate the whole ecclesiastical jurisdiction of the country to a lay tribunal. When the jurisdiction of the Court of Delegates was transferred to the Privy Council ecclesiastics were appointed assessors, and, by the Church Discipline Act, three Prelates were made members of the Court. He believed, as he had said, that in all periods of the history of the Church these tribunals had been mixed, and his advice was that in these things we should not rashly change our old institutions. The Church of England, like every other old constitutional body, might very well admit of reforms, but those reforms should not be in the teeth of all precedent since the constitution of the Church arose. These were times when of all others it was least desirable to be rash in meddling with the institutions of the country. All disestablished Churches were subject to lay tribunals, and even that great body which held itself most independent of the Civil Power would, unless he were misinformed, in a case which was about to come before the Court of Queen's Bench in Ireland, have to submit itself to the ordinary process of a civil Court. It had hitherto been the distinguishing characteristic of the Church of England as an Established Church that in all its Courts ecclesiastical members had had their place, and he did not wish to see a change which would assimilate in this respect the condition of that Church to the condition of disestablished Churches unless there were some grave reasons for it. He had no doubt their Lordships were as fully convinced as he was of the necessity of guarding very carefully that Established Church on which the rights and liberties of English Protestants had so long depended; and he therefore trusted that whatever changes were made in this matter, nothing would be done rashly or which, after a few years, they might have most seriously to regret. He believed if this change proposed by the noble Marquess—he ventured to say, in an off-hand manner—were adopted they would repent it very soon indeed.

THE EARL OF CARNARVON said, he did not think his noble Friend the noble Marquess was open to the charge of having dealt with this important subject in any very sudden or off-hand manner. Indeed, he could himself recall discussions with reference to it which had been introduced by his noble Friend on previous occasions. Looking to his own state of mind, he was honestly bound to say that for many years past he had felt this to be a very difficult question—on which much might be said on both sides—and it was only after much hesitation he had come to the conclusion that upon the whole the proposal of his noble Friend was one which it would be right for the House to adopt. He certainly was not one who would by word or deed knowingly contribute to sever the union between the Church and State; but he could not agree with the most rev. Primate when he spoke of the tribunal to which he referred as one of the ancient institutions of the country. The tribunal owed its origin to Lord Brougham when he created the Judicial Committee of the Privy Council, and it was, in many of its essential features, very different indeed from that Court of Delegates to which the most rev. Prelate alluded. The whole history of the Court showed how very anomalous it was. At the time it was created no real provision was made for ecclesiastical cases. They were of such little importance in public opinion that they escaped attention when the Judicial Committee was created, and it was only by a subsequent enactment in the Clergy Discipline Act that the omission was corrected. They were therefore dealing with a comparatively newly-created tribunal, and one which he ventured to think had not proved itself altogether worthy of public approval—not from the fault of those who sat on it, but from its own inherent and essential defects. Its first and most obvious defect was that the spiritual element was numerically insufficient for its duties. There were but three Prelates on the Judicial Committee, and it had occurred before now that one of these was disqualified by some formal defect or some act he had done in an inferior Court. But the main objection was this—that, as far as the spiritual element was concerned, it was both too little and too much. It was too little because the number of Prelates was insufficient, and they were liable as members of the tribunal to be out-voted. Whatever personal influence they might command by their rank and learning, it could not be pretended that they were an adequate representation either of the Right Rev. Bench, of the Clergy, or of the whole body of the laity of the Church of England. On the other hand, it was too much, because those who were alive to the present unhappy differences of opinion in the Church must see how greatly any one of those Prelates became as it were, in public opinion, compromised when, sitting on that tribunal, he joined voluntarily or involuntarily in the judgments which might be given. The difficulties attending the position of Bishops were certainly not less now than in former times; but such a tribunal as this tended at least to aggravate those difficulties. He thought the Court should appear to be what it was in reality, and what it had on various occasions itself affirmed that it was, a tribunal of lawyers, not of divines, appointed to explain the legal value of phrases and words. If, indeed, divines formed any part of the Court then he preferred a suggestion thrown out that evening that they should sit as assessors rather than as Judges responsible for the judgment of the Court. The unsatisfactory character of the Court being admitted as regards the spiritual element, there were but two alternatives —either to remove the Prelates altogether from the tribunal, or to increase them to an adequate representation of the Bishops' Bench. Was there any one in that House who, considering the circumstances of the country and time, would say that it would be practicable in any way to increase the number of Bishops who now sat on the tribunal? But, if so, then the only remaining course was to reduce the Court to a purely lay character. There were some words which fell from the most rev. Primate which appeared to open the door to a suggestion which he would make. The most rev. Primate said, that there might be some advantage in the discussion in this House with a view to the settlement of the question. It was possible that this Session had gone too far to allow of a Select Committee being appointed, but if the most rev. Primate would lend his assistance for the purpose of inquiring into the best means of dealing with this tribunal, whatever might be the result of the discussion tonight some measure on which both sides of the House might come to an easy agreement might be arrived at. He was quite aware that this was a question which had many practical bearings, and he believed the result their Lordships should have in view would be best attained by a Committee comprising all the learning and ability of the House, such as their Lordships had appointed on similar occasions.

LORD DYNEVOR said, as far as his own feelings were concerned, he would not object that any case to which he was a party should be carried before the Court of Appeal. He would rather be tried by civilians than by ecclesiastics, because that Court would be composed of the most eminent Judges of the land, men trained in the law, trained to the reading of documents, and to the consideration and interpretation of evidence; and he did not think that the clergy generally were qualified in the same way. There was a theological bias in the minds of clergymen—and the more conscientiously and strongly they felt the greater bias there was—which prevented them from taking as impartial a view as the Judges of the land would be likely to do. There could not be three more fair, candid, and moderate, clergymen than the two Archbishops and the Bishop of London; but for all that he should be sorry that there should be anything like a majority of ecclesiastics in the highest Court of Appeal. But though for himself he should be perfectly satisfied that all ecclesiastical matters of dispute should be referred to a lay tribunal, still, as the most rev. Primate had stated, he doubted whether that would be a satisfactory course to the clergy. There was a strong feeling on their part that ecclesiastics should not be altogether excluded. No long time, however, ought to be allowed to elapse before something was done to improve the Court. One would expect that the decisions of the highest Court should be carried out; but it was only necessary to enter some of the churches of the metropolis to see that this was not the case. More than one of the Bishops had told him of the great difficulty they experienced in enforcing the law on account of the enormous expense. What he would wish to see was a spirit of loyalty in the clergy, because if the clergy were to teach with effect the people to obey the law, they must be the first themselves to set the example of obedience. Numbers of the clergy were at present doing very much as they liked, and if things went on in that way the Church would go to pieces. He felt, therefore, that it was of the utmost importance to the welfare of the clergy that the law should be clearly ascertained and fully and firmly administered.

THE EARL OF HARROWBY said, he thought the real reason of the complaints against the existing tribunal was the impartial position which it had always maintained, and that it had not sided with any extreme party in the Church. At one time it did not satisfy the High Church party, at another the Low Church party, and at another the so-called Broad Church party, and at all times it had taken so even a way that it had kept the Church of England in the high middle position which had long been characteristic of it. He was not, therefore, prepared to join in the general condemnation which had been bestowed on the present system by the noble Marquess. But he still thought that the measure now before the House in regard to the High Court of Judicature, and also certain difficulties which had been experienced, made it necessary to reconsider the constitution of the tribunal. In the first place, his noble Friend (the Marquess of Salisbury) had pointed out that the tribunal would be reduced hereafter to a skeleton, and would be perfectly inadequate to the performance of its duties; and besides there were certain inconveniences attaching to the position of certain eminent ecclesiastics, who were now placed upon the Privy Council Committee. From their being placed upon it, the public mind could not get rid of the idea that it was in fact a Court of Heresy instead of a Court of Law, and this radical vice in the connection between ecclesiastical and lay bodies in this tribunal, although it had not had any injurious effect in falsifying the conclusions to which the tribunal had come, had led to confusion in the public mind. It had led the public to conceive that where the tribunal had pronounced an opinion it had announced the Church's doctrines as a Council or Synod, and in that way it had given trouble to many scrupulous minds. Moreover, those Prelates who sat upon the Judicial Committee were taken to be expressing their own opinions on disputed doctrinal points when they simply joined with the rest of the Committee in interpreting the law. It would certainly be a very great improvement to remove the Bishops from such an awkward position. Not only so, but those whose cases were adjudicated upon would be placed in a position more easy to be comprehended by the public. At present, persons condemned upon the recommendation of the Judicial Committee regarded the judgment as an imperfect expression of the Church's mind on the one hand, and as an imperfect expression of the Judges' minds, as Judges, on the other. It would be better if they could be brought to consider the matter not as a Church question, but simply as a matter of law and contract as between them and the nation under which they had contracted to do and say certain things, and not to do and say certain things under a contract, which it was contended had not been fulfilled. The notion that an Ecclesiastical Court should decide such questions had never existed in the Church of England since the Reformation, and it would be better if the semblance of such an idea, and the anomalies it gave rise to, were wholly done away with.

THE LORD CHANCELLOR said, the Judicial Committee of the Privy Council. as constituted for the consideration of ecclesiastical causes, was not the same as that Committee for any other purpose. The Bishops formed no part of the Committee for the consideration of causes other than ecclesiastical, but in ecclesiastical cases the Bishops were as much Judges as their lay brethren. No doubt the Judicial Committee had been accurately described by the most rev. Primate as a continuance of tribunals which had existed since the Reformation. From the time of the Reformation until the establishment of the Judicial Committee, the Sovereign, in right of the temporal supremacy over all Courts, ecclesiastical and civil, within the dominions of the Crown, appointed for every particular occasion by writ out of Chancery a body of so-called Delegates, who were selected by the Minister of the Crown. These Delegates might be laymen or ecclesiastics; but the Committee usually consisted of both laymen and ecclesiastics. In the cases of the few insignificant exceptions to this rule the Delegates were all laymen. The constitution of the Court of Delegates, however, differed very much from the present Judicial Committee, because it was a tribunal selected for each particular occasion by the Executive Power; whereas the Judicial Committee of the Privy Council was a permanent tribunal constituted for administering the general law of the land as far as it applied to this description of cases. He had been thus particular because whenever the time arrived for dealing with this question it would be important to bear the history of the tribunal in mind. It had been assumed that the Bill under consideration would tend to weaken the Judicial Committee of the Privy Council, so far as the temporal part of its constitution was concerned. But this was not so. Her Majesty was able to refer any mixed legal and political question upon which she needed the advice of the Privy Council to the Judicial Committee. It was unnecessary to enumerate the cases in which that power had been exercised. There were several recent cases as well as others of more remote date. As long as it was desirable the Crown should take the advice of the Judicial Committee of her Privy Council, it would be desirable she should continue on her Privy Council a sufficient number of learned men. He had no doubt that, if this Bill became law, the same class of eminent men would be appointed Privy Councillors who had been appointed up to the present time. It never had been the practice to impose upon the Crown a statutory obligation to appoint anybody to the office of Privy Councillor; but it had been the common usage to recognize in that manner the meritorious services of distinguished Judges; and he had no doubt the practice would be continued. Upon the practical question he wished to say a few words. When his noble Friend (the Marquess of Salisbury) intimated his intention to introduce this question, he (the Lord Chancellor) said that if it should appear that the right rev. Bench and the clergy of the Church of England generally desired to refer these appeals to the Court constituted under the Bill, there would, in his mind, be no difficulty in principle to prevent him from accepting the change. But he was not prepared to make the proposal, because he thought it would have the effect of entangling one great question with another. It was a great matter enough to deal with the whole Civil Judicature of the country; but if they were to add to that an attempt to satisfy all parties in the Church by a reconstitution of the appellate jurisdiction in ecclesiastical affairs, they might postpone to a more remote period than he hoped would be the case the constitution of any new Appellate Court whatever. The present debate had been entirely upon ecclesiastical questions, and he felt sure that that discussion would be continued if their Lordships took the present occasion for dealing with this important part of a much larger subject which lay behind it. In another place, if the proposal of the noble Marquess was accepted, the discussion of the ecclesiastical bearings of the measure would assume at least as large proportions as the discussion of its civil bearings. He should not have introduced the present Bill if he did not believe it to be a measure of importance and usefulness to the country, and he therefore trusted that the present subject would not be introduced into it, but that it would be reserved for consideration on its own merits on a more convenient occasion.

Lord CAIRNS agreed with his noble and learned Friend on the Woolsack in considering that the present was an inopportune occasion on which to discuss the proposal of the noble Marquess, and hoped the sense of the House would not be asked in the form of a division. At the same time he desired to express his opinion that the question was not one which could long be left in its present position, and that the noble Marquess had done good service in ventilating the subject. He was not quite as sanguine as his noble and learned Friend on the Woolsack in thinking that the operation of the Bill would be to add strength to the constitution of the Judicial Committee of the Privy Council. He thought the strength of the Committee would be impaired, and that would be an argument in favour of transferring the jurisdiction upon ecclesiastical causes as far as the lay element was concerned to the Appellate Tribunal to be created by the Bill; but he thought the question should be considered by itself. He owned that it had always appeared to him that there was a great deal to be said in favour of the constitution of a purely lay Appellate Tribunal to deal with ecclesiastical causes, and that the ecclesiastical element should be removed from it, except that right rev. Prelates should act as assessors merely; but he did not think the present was the proper occasion on which to discuss that question.

THE ARCHBISHOP OF YORK said, he thought the arguments of the noble Marquess had been met and answered by the alternative proposals which had been laid before their Lordships by the noble Earl (the Earl of Harrowby). He could not approve the course now proposed to be taken, which was at the last moment to send down to another place a civil Bill, with great ecclesiastical questions suddenly put upon its shoulders, and by so doing to deprive themselves of the power hereafter to decide whether they should have Bishops sitting as assessors or whether the ecclesiastical element should be altogether excluded. He did not think that, if Prelates had sat as assessors in the past, the decisions arrived at would have differed as far as the actual judgments were concerned; but they would have probably been rendered more clear, from the fact that the assessors had made theology their study, and were better acquainted with its forms and nomenclature. He deprecated the entire and experimental change that was proposed to be made in the constitution of the tribunal, as one likely to plunge the Church of England into a fresh course of litigation, and possibly involve its very existence as the National Church.

THE BISHOP OF WINCHESTER said, he would not enter into the *quasi* political reasons which the noble and learned Lord on the Woolsack so ably gave why it would not be convenient to add to this Bill, which in itself was weighty, provisions for dealing with appeals in ecclesiastical cases. That was a course of argument, the sound force of which he at once allowed. But at the same time the question under discussion had been frequently before the House, and he held that now, when Parliament was making great judicial changes, was the right time for considering whether ecclesiastical appeals should continue to be brought before the Judicial Committee of the Privy Council. In these high matters of judicial decision the first object was to do everything in order to secure that the decision should be very just, and the second to make this decision appear just in the eyes of the parties concerned. He ventured to think that the present constitution of the Court of Appeal was wanting in these two important points. He did not think that judgments in ecclesiastical causes by persons having seats on the Episcopal Bench were likely to be as just, or, if they were, to appear to be as just, as those pronounced by Judges who were not ecclesiastical persons. What had fallen from the noble and learned Lord opposite so exactly expressed what upon the whole was his own opinion on the subject that he would not trouble their Lordships with any lengthy declaration. Bishop Blomfield had once introduced a a Bill to enact that before the Judicial Committee pronounced a decision on any tenet or doctrine of the Church they should draw up a case to be answered by the Bishops of the two Provinces as to what the doctrine was—that case not to be binding, but to be of the nature of the cases drawn up, he believed, in the Court of Admiralty and other Courts, for the purpose of obtaining answers to questions upon foreign law, which were not binding upon the Judges, but which helped to guide them to come to a decision. He had at the time, many years ago, supported that Bill; but he had now come to the conclusion that such an enactment was not to be desired. He did not desire to detain their Lordships at that late hour, but he felt obliged to say that the decisions of the Judicial Committee of the Privy Council were not and were never intended to be doctrinal declarations for the Church of England. They were, as his noble and learned Friend on the Woolsack had said, strictly civil decisions on appeal by persons who felt themselves injured by the decisions of inferior tribunals. The judgment which was to guide the advisers of the Sovereign in matters ecclesiastical, had no relation to the abstract truth or falsehood of the proposition, tenet or doctrine which it treated, but with the bare question whether the mode in which it had been stated before them agreed with those Articles which the Church on the one hand and the State on the other had agreed to maintain and uphold; and he held that trained lawyers who had risen to the position of great Judges were more likely to interpret words correctly and impartially, with an absence of prejudice, and with a desire of being just in regard to both parties, than ecclesiastics. He thought the legal members of the Judicial Committee were likely unduly to defer to statements which were made by their brother ecclesiastical Judges, and were likely therefore in certain cases not to take the line they would have taken if they had been left to decide the case alone. He felt certain from his knowledge of the Church of England that that which agitated and so often irritated the clerical mind outside was not that a case had been decided this way or that, but that through the presence of most rev. and right rev. Prelates on the seat of judgment, the judgments appeared to them to assume the character of decisions on the abstract truth of the doctrines involved. He was certain that the removal of the Episcopal element from the Judicial Committee would cause its decisions to be received more impartially by the great body of the clergy of the Church. He deprecated making the settlement of this question depend upon the settlement of all questions of ecclesiastical policy upon which legislation was required, and therefore trusted that the noble Marquess would not wait for any such complete ecclesiastical system of jurisprudence, but would bring forward the single separate question with a view of giving to it legislative effect.

THE BISHOP OF LONDON asked, whether it would be quite right to attempt to pass so important a measure as this, in not merely the very last stage of a Bill which did not deal with the matter in question, but of which so little notice had been given that even of the right rev. Bishops there were very few who were aware what the evening's discussion related to. The words which the noble Marquess now proposed to omit comprehended the whole of the ecclesiastical appeals.

THE MARQUESS OF SALISBURY said, that 10 days since he had fully explained at the Table of the House the nature of the Amendment now under discussion, and it was not his fault if the right rev. Prelate and the general body of the clergy did not read the newspapers. Reference had been repeatedly made to what had been done in certain quarters. He objected to being referred to as a "quarter," especially when it was assumed that that indefinite entity had been doing something that it ought not to do. He begged to withdraw his Motion.

Amendment (by leave of the House), *withdrawn.*

Bill *passed,* and sent to the Commons.

ROCK OF CASHEL BILL [H.L.]

A Bill to provide facilities for vesting the Rock of Cashel in Trustees—Was *presented* by The Lord STANLEY of ALDERLEY; read 1ª. (No. 90.)

TRAMWAYS PROVISIONAL ORDERS CONFIRMATION BILL [H.L.]

A Bill for confirming certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Cardiff, Dewsbury, Batley and Birstal, Felixstowe and Fagborough Cliff, Ipswich and Felixstowe, Leicester, Middlesborough and Stockton, Neath and district, Newport (Monmouthshire), and South London—Was *presented* by The LORD PRESIDENT; read 1ª. (No. 93.)

House adjourned at Eight o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 5th May, 1873.

MINUTES.]—SELECT COMMITTEE—Juries (Ireland), Mr. M'Mahon *discharged,* Mr. Henry Herbert *added.*

SUPPLY—*Resolutions* [May 2] *reported.*

PUBLIC BILLS—*Resolution in Committee—Ordered —First Reading*—Customs Duties (Isle of Man) * [151].

Ordered—First Reading—Rating (Liability and Value) [146]; Valuation [147]; Consolidated Rate * [148]; Peace Preservation (Ireland) * [145]; Gas and Water Provisional Orders Confirmation (No. 2) * [149].

First Reading—Law Agents (Scotland) * [150].

Second Reading — General Valuation (Ireland) [64]; Superannuation Act Amendment * [135]; Entailed and Settled Estates (Scotland) [130]; Customs and Inland Revenue * [144]; Crown Lands * [140]; County Authorities (Loans) * [134].

Committee — Married Women's Property Act (1870) Amendment * [7]—R.P.

Committee—Report—University Tests (Dublin) (No. 3) * [124]; Oyster and Mussel Fisheries Order Confirmation * [131]; Pier and Harbour Orders Confirmation * [132]; Vagrants Law Amendment (*re-comm.*) * [143].

Considered as amended—Fairs * [138]; Agricultural Children * [8].

AFRICA (WEST COAST) — THE FANTI CONFEDERATION.—QUESTION.

MR. SALT asked the Under Secretary of State for the Colonies, If he will lay upon the Table of the House, Copies of any Treaties or other Documents that define the extent and nature of the Protectorate exercised by this Country over the Fanti tribes; of Reports received in reference to recent occurrences near Cape Coast Castle; and, of the Instructions issued to the Naval and Military Commanders of English forces in the district?

VISCOUNT ENFIELD (for Mr. KNATCHBULL-HUGESSEN), in reply, said, information with regard to the nature and extent of the Protectorate inquestion was already before the House in the Report of the Parliamentary Committee on the West Coast of Africa, printed in June, 1865. Papers relative to the cession of the Dutch Forts had just been circulated, and further Papers, comprising the information asked for, would be produced with as little delay as possible, in accordance with an unopposed Motion made that evening by the right hon. Gentleman the Member for North Staffordshire (Sir Charles Adderley).

ORDNANCE SURVEY.—QUESTION.

MR. GREAVES asked the Chairman of the Board of Works, When it is probable that the Ordnance Survey, which is officially stated to have been commenced under General Roy in 1783, will be so far advanced as to furnish the public with a map of the whole of the mainland of Great Britain?

MR. AYRTON, in reply, said, the map of Great Britain would not be complete for some time. The one-inch map for England and Wales was already published. The map of Scotland would be complete in four years, and in six years the entire series of maps would be furnished, with the hills all shaded in.

ARMY — CHAPLAINS TO THE FORCES. QUESTION.

MR. O'REILLY asked the Secretary of State for War, Why Chaplains to the Forces of the second and third class receive a less allowance for lodging, fuel, and lights than other officers of the same relative rank?

SIR HENRY STORKS in reply, said, that the allowances to Chaplains to the Forces were regulated by a Special Warrant, dated the 5th of November, 1858. They received when serving abroad the same allowance for lodging, fuel, and light as was granted to Staff officers of the same relative rank. When serving at home and permitted to live out of barracks they were entitled to the rates as fixed at the date of the Warrant for regimental officers of the same relative rank. These allowances had always been maintained in subsequent Royal Warrants relating to Chaplains to the Forces.

INDIA—H.M. ROMAN CATHOLIC SERVANTS.—QUESTION.

MR. O'REILLY asked the Under Secretary of State for India, Whether the subject of the provision made by Government for the religious wants of Her Majesty's servants in India, professing the Roman Catholic religion, has been brought under the consideration of the Secretary of State in Council, and of the Governor General in Council; and, whether any steps have been taken or are contemplated in this matter?

MR. GRANT DUFF: In reply, Sir, to my hon. Friend, I have to say that after the Question put by him to me last year, the Secretary of State in Council addressed the Viceroy in Council upon this subject, and that it is at present under the consideration of the Government of India.

INDIA—BANDA AND KIRWEE BOOTY.

QUESTION.

MR. W. M. TORRENS (for Sir ROBERT TORRENS) asked the Under Secretary of State for India, Whether it is true that the Banda and Kirwee Booty was estimated, two years after the sale of the captured property, in Her Majesty's Royal Grant of 10th June 1864, at Rs. 7,000,000, exclusive of interest; whether the actual payments fall short of that sum by more than Rs. 1,500,000; how the discrepancy is accounted for; whether there are not prize claims still in dispute (besides the claims for the funded property of the Chief of Kirwee) for arrears of interest and other sums amounting to about £100,000; and, whether these disputed prize claims of the troops ought not to be referred (under the Act 3 and 4 Vic. c. 65, s. 22) for judicial settlement?

MR. GRANT DUFF: In reply, Sir, to my hon. Friend's first Question, I have to say that it is true that the amount of the Banda and Kirwee Prize Fund fell short of the estimate by about the sum named. In reply to his second Question, I have to say that the discrepancy arose partly from an item having been entered twice in the account, partly from some articles, particularly jewels, having sold indifferently. In reply to his third Question, I have to say that the further prize claims alluded to can, I presume, only be the claims which have already been held invalid by the proper authorities in such matters, whose judgment is considered final.

THE TICHBORNE CASE — REGINA *v.* CASTRO.—QUESTION.

MR. WHALLEY asked the Secretary of State for the Home Department, with reference to the Tichborne Case, Whether he is prepared to afford the Defendant such aid in bringing up witnesses in his defence as he would have been legally entitled to receive if he had been committed for trial after an examination before a magistrate instead of by the summary jurisdiction of the Lord Chief Justice of the Common Pleas; and, if not now prepared to do so, whether, having regard to the fact that Petitions praying that such aid may be afforded, signed by about 100,000 persons, have been already presented to and read at the Table of this House, he will be good enough to point out what further evidence, if any, will be sufficient to satisfy him that unless such aid is afforded, there may be, in the opinion of a large portion of the public, a failure of justice in the pending trial?

MR. BRUCE: Sir, I have considered the Question put to me, and have come to the conclusion that it is highly inexpedient that applications of this character should be dealt with in this House by way of Question and Answer between a Member of Parliament and a Minister of the Crown. The proper course would be to address the Department of the State which is competent to deal with these applications, and which would deal with them according to the special circumstances of each case.

MR. WHALLEY said, that application upon the subject had been made in every possible form to the authorities to whom the right hon. Gentleman referred, and desired to know, whether he was to understand from the reply of the right hon. Gentleman that that application should be renewed; and whether, if it were renewed, there would be any chance of success?

MR. BRUCE said, he had made inquiry upon the point, and, as he had been informed, no such application had been made.

VOLUNTEER OFFICERS.

QUESTION.

COLONEL C. H. LINDSAY asked the Secretary of State for War, If he will state the number of Officers' Commissions that are vacant in the Volunteer Service at the present time?

SIR HENRY STORKS, in reply, said, that the number of Volunteer commissions vacant up to 17th of March last would be found in the Return recently published.

RAILWAY AND CANAL COMPANIES BILLS—THE JOINT COMMITTEE.

QUESTIONS.

MR. WOODS asked the President of the Board of Trade, seeing that it is proposed to refer certain Railway Bills now before Parliament to a Joint Committee of both Houses, If he will take measures to secure to intending Petitioners the same opportunities of being heard before the Joint Committee that they would have had before the other House of Parliament, had no change of procedure been made during this Session in the mode of conducting the Private Business affecting those Bills?

Mr. CHICHESTER FORTESCUE, in reply, said, that under the Resolutions adopted by both Houses of Parliament all Petitions against Railway Bills from any parties would be referred to the Joint Committee, and the time for petitioning, under these exceptional circumstances, would be very much longer than in ordinary years. The inquiry was to be a single one, and would be made and concluded by the Joint Committee, that being the essence of the recommendation of the Committee of last year with regard to all Bills involving the policy of amalgamation.

Mr. RATHBONE asked, whether it is proposed to give a *locus standi* to local bodies?

Mr. CHICHESTER FORTESCUE said, that under the Resolutions all Petitions, no matter from what quarter they might proceed, would be referred to the Committee irrespective of the Rules regarding *locus standi.*

BOARD OF TRADE—RAILWAY RETURNS (1872).—QUESTION.

Mr. LEA asked the President of the Board of Trade, When the Railway Returns for the year 1872 are received at the Board of Trade; and when those Returns will be laid upon the Table of the House?

Mr. CHICHESTER FORTESCUE, in reply, said, Railway Companies were bound, under the Act of 1871, to send in their Returns within a fortnight of their half-yearly meetings. There had been delay in several instances, and the companies had been warned by the Board of Trade that if continued the penalties would be enforced.

BRITISH NORTH AMERICA—THE ALASKA BOUNDARY. — QUESTION.

Mr. EASTWICK asked the Under Secretary of State for Foreign Affairs, Whether there has been any correspondence between Her Majesty's Government and the Government of the United States on the subject of the Boundary between British North America and the territory purchased by the United States from Russia on the 30th of March, 1867, or any Commission sent out to examine the Boundary; and, whether the rights of navigation, &c. conceded to Great Britain by the Convention of 28th February, 1825, are still in force?

Viscount ENFIELD in reply, said, that Sir Edward Thornton was instructed in the autumn of last year to suggest to the Government of the United States the appointment of a Joint Commission to survey and lay down the Alaska Boundary. The American Government approved, and a Bill was brought into Congress for authorizing the President to take part in it. Pressure of business, however, prevented the Bill from being proceeded with, and the matter must therefore stand over for the next Session of Congress. With regard to the second Question, acting under the opinion of the Queen's Advocate, Mr. Ford, then Her Majesty's Chargé d'Affaires at Washington, was informed on the 30th of December, 1867—

> "That the United States were bound by the recitals from the Convention which were incorporated in the Treaty of Cession as far as the geographical limits of the ceded territory are concerned; but that as regards the other articles of the Convention, whereby certain points connected with the commerce, navigation, and fisheries of British and Russian subjects were settled for their reciprocal convenience, the obligations contracted by Russia towards Great Britain under these articles do not devolve upon the United States by virtue of the Treaty of Cession."

POST OFFICE—CONVEYANCE OF MAILS TO THE CAPE OF GOOD HOPE.

QUESTION.

Mr. HOLMS asked Mr. Chancellor of the Exchequer, Whether, seeing that the Cape Merchants of London are placed in extreme uncertainty with reference to the Contract now upon the Table for conveying the Mails to the Cape of Good Hope, he will inform the House when he expects to submit that Contract to the judgment of Parliament; and, whether, under the pressing nature of the circumstances, he will name an early day for its discussion?

The CHANCELLOR of the EXCHEQUER, in reply, said, that in consequence of the dissatisfaction felt at the Cape, and by persons engaged in the trade to that colony, the Government had decided not to submit that contract to the judgment of the House. It was therefore at an end, and matters were remitted for the next three years to their original state. In answer to a Question placed on the Paper by the right hon. Baronet the Member for North Devon (Sir Stafford Northcote), Whether the Government are now paying the subsidy for conveying the mails to the Cape of Good Hope, and also for the conveyance of the mails to Zanzibar, in accordance with the contract of December 19, 1872? he might say that no payment had been made on account of the Cape contract now abandoned. The Zanzibar contract was entered into for a special purpose, the suppression of the slave trade. On account of that contract a payment had been made. The change he had already announced would render necessary a change in the Zanzibar contract. It would be made at once, and the contract as altered would be submitted to the House.

IRISH CHURCH ACT—NATIONAL MONUMENTS.—QUESTION.

MR. AGAR-ELLIS asked the First Lord of the Treasury, Whether it is intended that the provisions of subsection 1, Section 25 of the Irish Church Act, relating to National Monuments, should be allowed to remain inoperative?

MR. GLADSTONE in reply, said, that it did not rest with Her Majesty's Government whether the provisions to which the hon. Member referred should remain inoperative or not, but with the Church Commissioners in Ireland. He had communicated with the Commissioners on the subject, and was assured that they were now engaged in making inquiries in order to ascertain what structures there might be within the powers of the Act of Parliament that ought to be maintained as national monuments; and as soon as those inquiries were concluded, further information would be given.

ROME—THE ATTACK UPON MR. VANSITTART.—QUESTION.

MR. MATTHEWS asked the Under Secretary of State for Foreign Affairs, Whether the Italian Government has instituted any inquiry into the unprovoked attack made in the streets of Rome, on the 30th March last, on Mr. Vansittart, a British subject, or commenced any proceedings against the aggressors; and, whether he has any objection to lay upon the Table the Correspondence between Mr. Vansittart and other English residents in Rome and Sir Augustus Paget, and the Despatches sent by Sir A. Paget to Her Majesty's Government, on this subject?

VISCOUNT ENFIELD, in reply, said, Sir Augustus Paget had reported from Rome that an inquiry had been instituted into the circumstances of the late attack upon Mr. Vansittart, a British subject, in the streets of Rome, and that the matter, according to Signor Visconti Venosta, was now under the cognizance of the judicial authorities. If the hon. and learned Member wished to move for the Papers in connection with this affair, there would be no objection to produce them.

CORONERS (IRELAND).—QUESTION.

MR. VANCE asked the Chief Secretary for Ireland, If he intends to introduce any measure this Session to regulate the office of Coroner in Ireland?

THE MARQUESS OF HARTINGTON in reply, said, that as far as he could judge, the grievances under which the coroners laboured were not sufficiently urgent to warrant a Bill being introduced to meet their case and their case alone. As the hon. Member was aware, he had last Session introduced a Bill dealing with the position of county authorities, and, among others, with the position of the coroners. That Bill, however, made very little progress, and if he again proposed it he could scarcely see any prospect of its becoming law this Session. He felt bound to add that, although the coroners, as a body, were favourable to that measure, it did not, he believed, go nearly as far as they desired.

ORDERS OF THE DAY—LOCAL TAXATION.

THE GOVERNMENT PROPOSALS.

Orders of the Day read, and postponed till after the four Notices of Motion, relative to Local Taxation, to be proposed by the President of the Local Government Board.—(*Mr. Gladstone.*)

RATING (LIABILITY AND VALUE)—VALUATION—CONSOLIDATED RATE BILLS.—LEAVE.

Mr. STANSFELD, in rising to explain the provisions of the three measures which he had placed upon the Paper—namely, a Bill to amend the Law respecting the Liability and Valuation of property for the purposes of Rates and Taxes; a Bill to provide for uniformity in the Valuation of Property for the purposes of Rates and Taxes; and a Bill to amend the Law respecting the collection and making of Rates, and to provide for a Consolidated Rate, said:—Sir, I propose to confine myself to-night to moving for Leave to bring in these three Bills, and to postpone to a future day the Motion of which I have given Notice for the appointment of a Select Committee to inquire into the desirability of altering the existing Boundaries of Parishes, Unions, and Counties. I will therefore at once proceed to explain the nature of the proposals I am about to make to the House. The first of the three Bills is a measure, the object of which is to repeal certain existing exemptions from rateability, so as to enlarge the area of rateable property throughout the country. The object of the second Bill is to make uniform for the purposes of both rating and taxation, the valuation and the assessment of property over the same area; and the object of the third Bill is to simplify the collection of rates by the adoption of the scheme for a consolidated rate, which has been already brought under the notice of the House by my right hon. Friend who is now the First Lord of the Admiralty (Mr. Goschen). There can be no doubt of the great interest felt in, and the growing sense of the difficulty and importance of, the large complex question of which these Bills only form as it were a threshold and a part, for the interest of the House and of the public has been awakened to the question of local government and local taxation by a sense of the pressure of local rates. When the shoe pinches, great reforms are sometimes at hand; and, as far as I am concerned, I do not regret any debate which has occurred in this House during the present or the preceding Session, although in the course of them exaggerated views may have been occasionally expressed; because I for one, as taking an interest in the reform of our system of local government, am glad that the attention of Parliament and of the country has been called to this important subject. But though that is the case, I trust the House will allow me, in no disputatious spirit, but for the sake of accuracy, which can do no man and no cause any harm, and for the sake of that common moderating of views and feelings on all sides which, I trust, may lead us to consider this subject, so as to bring it to a happy issue—I hope the House will allow me to refer to some of the financial aspects of the question. Now, as the House knows, there is something attractive and even unduly fascinating in figures when they become familiar. The mind likes to dwell on large amounts, such as millions, whether they refer to possessions, or even to the burdens which are supposed to weigh upon individuals or the community. Now, I am not sure that my right hon. Friend the First Lord of the Admiralty is not, in some sense, responsible for those large figures which have struck the imagination, and caused confused perceptions of this subject, for to him we owe the first Return of the total local expenditure of the country. The imaginative figures of that Return, which have taken possession of some minds, state that the total local expenditure of the country in 1871 was £29,948,030. In commencing to deal with the subject, it is my first duty to endeavour to take something away from the attractiveness of those figures, and to look into the details of the Return, in order to present the result with accuracy to the House. Well, £30,000,000, roughly speaking, was the total expenditure in 1871 upon objects which we have been accustomed to call local objects in this country; but the burden on the ratepayers of the country is something very different, and very much less. The other night the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) put the burden upon the public in the localities at £25,000,000 of money, and I take it he arrived at that result by the very legitimate process of eliminating from the account the amount of tolls, dues, and duties; for the House will understand that tolls, dues, and duties are neither taxes nor rates, because they are payments demanded not from the general community, but from persons choosing, of their own free will, and finding it worth their while, to avail themselves of some existing local advantages and conveniences, for which they are glad with the same free will to pay. But I shall have to reduce the sum very far below that total of £25,000,000, because when I turn from the column of total expenditure to the column of charge in respect of rates, I find the total reduced from very nearly £30,000,000 to £17,405,711. But my process of the disintegration of this amount, I am bound to say, is not yet finished, for with reference to the question, not merely of local burdens, but of local burdens which have no claim to Imperial relief, we have to go further, and in going further I am reading no new lesson to the hon. Baronet the Member for South Devon (Sir Massey Lopes), for if it were necessary, I could cite extracts from his speeches in which he has drawn the distinction which I seek to draw. The distinction which I seek to draw, broadly speaking, is between remunerative and non-remunerative rates, or, to speak more exactly, I should say between directly remunerative and what you might call property-improvement rates—expenditure of a character which an enlightened owner of large property would undoubtedly take upon himself, if it were not otherwise provided—and that expenditure for more general purposes which, whether levied nationally or locally, in no inconsiderable degree undoubtedly increases the value of property in all localities throughout the country. Well, I have made that distinction, and the result at which I have arrived with regard to the year 1871 is this—I take what I call non-remunerative, or at least not directly remunerative rates—the poor rate, the county and rural police rates, the borough police rates, the metropolitan police rate, the City of London police rate; and I make the total—so far as it is levied by taxation, and is not derived from other sources—to be £11,426,087. On the other side I take the highway rate, the metropolitan local management rate, the metropolitan consolidated rates, the City of London ward rates, the towns' improvement rates, the local board rates—many of which really include the charge for gas and water, and are not strictly speaking rates at all, lighting and watching rates, sewers rates, and drainage rates, and so on; and I put all this down at a total of £5,979,624. Therefore, giving the figures in round numbers, I find that in 1871 the rates not directly remunerative amounted to £11,500,000, or a little less; while the directly remunerative or property-improvement rates, which can have no shadow of a claim to Imperial contribution, amounted to something less than £6,000,000. I have therefore reduced the great and fascinating figure of £30,000,000; first, to £17,500,000, and then, to £11,500,000, as far as this question is concerned; but I cannot even leave the £11,500,000 without deduction. A fallacy has obtained in the arguments of many hon. Gentlemen on this subject, and I am not sure that my hon. Friend the Member for South Devon has always escaped from it. The fallacy is as follows. Because a certain amount is levied on the real property of the country, it is assumed or argued in a somewhat vague way, that the injustice of the burden has some relationship and proportion between the annual value of the real property of the country and the income of the country, as derived from all sources. Now I wish to show what I venture to call the fallacy of this notion. The rates fall upon occupiers and owners, no matter for the moment in what proportion; but occupiers and owners, and those who depend upon occupiers and owners, are the people of the country, with very small exceptions, and therefore it is not correct to say that the gross value of the property of the country is £120,000,000, or what amount we like, and the income of the country £400,000,000, £500,000,000, or £600,000,000; and the injustice is in that proportion, because the income is possessed by the very persons who are taxed upon rateable property. Consequently, even the question as to the reduced sum of £11,500,000 is subject to the consideration as to how far the owners and occupiers of property are taxed in proportion to their ability, and in proportion to the advantage they derive from the expenditure of these local rates. All political economists, will, I think, bear me out in the assertion, that there is, perhaps, no subject more difficult upon which to arrive at a satisfactory conclusion than the real, exact, and ultimate incidence of rates and taxes; but this I will venture to say—and I think no one will deny it—that however partial the incidences on persons of a tax or a rate may appear to be, yet its tendency, if you give it time, is to diffuse itself, and that, therefore, the burden of £11,500,000 is first of all to be diminished in a matter of argument with reference to the consideration, how far it may or may not be fairly distributed amongst those who, as practically constituting the whole community, should bear it; and secondly, with reference to that intricate problem of political economy, what is the ultimate and the accurate and exact incidence of any rate or tax? But, Sir, I have made these remarks not for the sake of, or with the slightest desire to attenuate in any hon. Member's mind the interest and importance of this subject, because I venture to say that no man can attach a greater importance to it than I do myself; and because I congratulate myself and I congratulate all those who feel an interest in the subject, on the fact of the discussions which have taken place, and on the fact that some sense of the burden has led the minds of hon. Members of this House to open themselves on a question which I believe to be of the greatest interest and importance to the future of this country, whether in reference to the Imperial Government or to local government itself. The subject being not only of great interest and importance, but of very great complexity and dimensions, I presume only to touch the very fringe of the question to-night, and, therefore, I propose only to introduce to the House some measures having for their object the practical reform of the existing system of local taxation. Next, I shall have to ask the House to assent to the appointment of a Select Committee to inquire into the parish, union, and county boundaries, and the object of that inquiry will be to prepare the way for the very much greater and more important and difficult branch of the question—namely, the subject of local government itself. When we have come to the question of local government itself, the House knows that in the next place—and, I might almost say, contemporaneously with that inquiry—we must address ourselves to the question which is uppermost in men's minds—the question of the true relations for the future between Imperial and local government, and the nature and the amount of contributions which might properly be made, and the conditions under which they ought to be made out of the Imperial revenue in aid and in relief of local burdens. The House, I am sure, therefore, will not differ from me when I say that we must address ourselves to the whole of this question by steps and by degrees. I know very well that this will require patience, if not some confidence in us, on the part of the House. I would say, as a justification for our appeal to the patience, and to some extent to the confidence, of the House, that there is really no alternative; that no party occupying the position of a Government could deal with the question in any other way; and that no persons—and here I would appeal with confidence to the hon. Baronet the Member for South Devon—feeling any responsibility on this subject and being bound themselves not merely to bring it before the attention of the public and of Parliament, but to propose its solution, could pretend or presume to approach it except gradually and by degrees. I would adduce this further reason in favour of that mode of proceeding—that if we really ask ourselves honestly the condition of this question as a whole in our own minds, as well as in the mind of the public, we are conscious that we want time for it to grow; we know that we want it to be brought gradually before the public. We want to know what the public outside think, as well as what we ourselves have begun to think; and as for myself, though I probably have given as much daily close attention to the subject for the last 12 months as any man, I should not be prepared, and I should be unwilling to address myself to the solution of the great and ulterior questions to which I have referred until I had first of all taken these preliminary steps to which I am now inviting the attention and acquiescence of the House. My right hon. Friend the First Minister the other night indicated the order of proceeding. I move to-night for the introduction of three Bills, and I hope to move on the next occasion, possibly on Thursday next, for the Committee of which I have given Notice. When that Committee shall have reported, I shall be in a position, and the Government will be in a position, to consider what further measures it will be necessary to adopt in order to complete the system of the local organization of the country with respect to those burdens. Now, Sir, in considering the subject of local taxation, there are three matters which we have to bear in mind. We have to think first of the property which ought to be subject to rates, and made liable to rateability; we have to think, in the next place, of how this property ought to be valued; and, in the third place, we may address ourselves as a question of practical convenience to the easiest and simplest method of collecting the rates. Now, Sir, what property ought to be rated? The House knows that our law is based upon the statute of Elizabeth. The statute of Elizabeth is the first Act of Parliament by virtue of which those properties are defined which are the subject-matter of rates. That Act has been somewhat modified by subsequent legislation, and its meaning has been made clear by the interpretations from time to time of Courts of Law; but the principle—if I may so say—of the Act of Elizabeth was this—that property to be rated should be locally situated in the parish in which it was to be rated, and that it should be tangible and visible property. That principle of the Act excluded incorporeal hereditaments, such as rights of shooting, fishing, and the franchise, and all other such rights, when severed from the occupation of the soil; because the House must understand that rights of that kind when enjoyed together with the occupation of the soil added to the value of the occupation, and therefore came to be rated when the annual value of real and tangible property had to be rated and assessed. Well, but besides the exclusion of incorporeal hereditaments, certain corporeal hereditaments of real property came to be excluded by the words of the Act of Elizabeth and by the interpretation placed upon those words by the Courts of Law. The Act of Elizabeth mentioned coal mines only, and therefore all other mines—all metalliferous mines—have been excluded from the rates, with this exception—that where the owner has been paid not by a rent, but by a portion of the produce, by a kind of fiction in the Courts of Law he has been held to be in occupation of a portion of the mine, and has been rated in respect thereof, Again, in the Act of Elizabeth, saleable underwood is mentioned only, and therefore by the interpretation of the law, woods and plantations which are not underwood have been excluded from rateability. The Crown, too, is not mentioned in the Act, and as hon. Members are aware, since no Act can bind the Crown in which the Crown is not mentioned, all Crown property—a phrase to which the Courts have given a very large interpretation—has practically been exempted from rates. Besides these exemptions based upon interpretations of the Act of Elizabeth, there are exemptions founded upon subsequent legislation. The House knows that churches and chapels have been exempted from rateability by an Act of William IV., and, although Sunday schools and ragged schools have been — I will not say exempted, yet the parish in which they are located has been enabled, at its own cost, to exempt them by Act of Parliament—and literary and scientific institutions have also been exempted by statute. Now, my right hon. Friend the First Lord of the Admiralty dealt with this subject in his Bill of two years ago. He dealt with it in a way complete, and in a very logical method. He abolished all the exemptions, he made all hereditaments—corporeal and incorporeal—the subject-matter of rates, and in his Bill he proposed to assign the house tax in relief of the coal burdens, which were occasioned by imposition of rates. What I have to do now is to explain to the House how far the present proposal of the Government is identical, and how far and in what respect it differs from their former proposal. We have not endeavoured to frame a measure upon the consideration that it should have the advantage and the merit of being so logical and complete as the measure which we proposed two years ago. There is no doubt that the perfection of the logic and the completeness of a measure is a great recommendation; but we have thought from criticisms which that measure received, that perhaps we should better meet the general orders and wishes of the House by taking a less ambitious course. We have, therefore, in order to meet those views, and secondly in order to make our meaning, and to make the effect of our proposed legislation so clear that no one can by possibility misunderstand it —we have inverted the form of proceeding, and we have adopted the less philosophical method than that adopted two years ago of indicating one by one the subject-matters to which we think it, on the whole, advisable to extend the law of rateability, so that, at least, our present proceeding will have the advantage in the eyes of the House of making perfectly clear what additions we propose to make to the liability of owners of property of any kind. In the first place, we propose—and I am sure the House will be prepared for this announcement—to rate all mines besides coal mines. The Bill, as it is now drawn, simply includes them in the liability to rating. I know that various questions will be raised as to the method by which we should arrive at a valuation of mines for rating purposes, and I have not seen my way to doing more than saying that the Act of Elizabeth shall extend from coal mines to all other mines. We come next to woods and plantations other than saleable underwood, and we propose to make them liable also. We have not again inserted in our Bill any proposed method of valuation. I might have fallen back on the method of the Scotch Act. Scotland is a wood-growing country; the Scotch people are generally supposed to understand business, public or private, and therefore I might have done what I felt disposed at one time to do. I might have fallen back on the precedent of the Scotch Act, and defined in my Bill the method of valuation so as to determine the rateability of plantations. On the whole, however, I thought, and the Government thought, it would be better to place the Bill before the House simply as a measure proposing to introduce a rateability where rateability does not now exist. Then we propose to retain the statutory exemption for churches and chapels, and that is the only statutory total exemption from rateability that we propose to retain. The House will not forget that we are intending to submit Government property to rateability; and, therefore, the question what property ought to be rated and what property ought to be exempted is not exactly the same as it was when it was not proposed to subject Government property to rateability. We proposed, therefore, to repeal the Act which enables Sunday schools and ragged schools to escape from their contribution to the rates of the parish in which they are situated. There are also public Acts, and Local, Personal, and Private Acts, which hardly, correctly speaking, exempt property from rateability, but which sometimes exempt the occupiers from payment of the rate, throwing it on the parish—I will not undertake to say my recollection is accurate, but, probably, the Foundling Hospital is in that position—or, which reduces, fixes, and minimizes the value on which certain properties are in future to be rated. Now, on the first blush of the question, and taking what I may call an abstract and philosophical view, one would say undoubtedly, that all these provisions, Public or Private, should be repealed. But, nevertheless, I have come to the conclusion, and my Colleagues have shared in it—on looking at all those Acts, their number, the length of time during which they have operated, considering how much property has been bought, sold, and inherited with reference to these conditions, and how far these partial exemptions may fairly be regarded as statutory—they have come to the conclusion not to interfere with these cases, and to leave these partial exemptions just as they stand under existing legislation. I come lastly to the question of the rateability of Government property. My right hon. Friend (Mr. Goschen) proposed to repeal the exemption which Government property has enjoyed, and we now continue that proposal; but I have to explain to the House—and I must do it as carefully as I can—the method in which we mean to deal with that subject. It is not possible to deal with it simply by repealing the exemptions; at least, if it is possible; it is not advisable; and I think the House itself will hardly treat the question, simply by repealing the exemption of Government property, and leaving the question of its rateable value to be determined by the tribunals of the various localities in which it is situated. Let us consider for a moment the peculiar character and conditions of Government property with reference to this subject. I will take four cases. First, there is the case of a building appropriated, in town or country, to the use of the Post Office, or the Inland Revenue, and other small properties of that kind employed for the purposes of the State. These, I think, may very easily be dealt with on ordinary principles, and be fairly and safely referred to the local assessment committees and and local judicial tribunals to decide. But I next come to a totally different class of case. I will take the Parks. The Parks of this metropolis, with some minor exceptions which I need not mention, have never been the subject-matter of rates, and they have never been withdrawn from rateability to which they had previously been subject; so that parishes have grown up around these Parks with a perfect knowledge of that condition relating to them. Further, these Parks are not properties which create either wealth or poverty. The kind of property which is logically the subject-matter of rates is that which creates wealth, and which, at the same time, unfortunately, as far as our experience goes, inevitably creates poverty as well. That is to say, it employs labour to a large extent. In the third place, the Parks of London are maintained at a very considerable cost to the general taxpayer, no doubt for the convenience and pleasure of the general taxpayer when he wishes, but, perhaps, more for the convenience and pleasure of the residents of London themselves. And further, it is within the knowledge of the House, that the value of the property immediately adjoining the Parks is not diminished by their unrateability, but very largely increased by the amenity they give to that part of the town. I do not think, therefore, the House will consent to the Parks being taxed, unless it is placed in the possession of some kind of estimate, however rough, of the amount which we should have to call upon it to pay out of the general taxation of the country, and at this moment I can afford no such information —the House will not consent, simply on the ground of general principle, to say that the Parks, like other Government property, should be subjected to rates, and leave it to the local tribunals to ascertain their value and assess them. Then I come to fortifications, which are often constructed, as the nature of the case makes evident, on hill-sides. Those hills may feed sheep; but that is all they are likely to do. An enormous sum, however, was spent in converting those hill-sides or cliffs into fortifications. Undoubtedly, if we leave the valuation of such property to a local tribunal, there will be considerable risk that it may, in the interest of the locality, value the fortifications with reference to the amount of capital expended on that barren land. That would be very unsound, because, however useful they may be for the defence of the country, they have no mercantile or money, and therefore, properly speaking, no rateable value. It has come to my knowledge that when the late Sir George Cornwall Lewis in 1859 was contemplating a measure of this description, he obtained a rough estimate of the value of War-Office property. I have not been able to get that estimate, but the gross amount was something like £17,000,000, the amount of capital, probably expended upon them, a basis very unsound in my view, for valuation. I, therefore, put it to the House whether, in regard to property of this kind, it should be left to local authorities to value it on some arbitrary plan in reference to the amount expended on it? I come now to a totally different class of Government property—I mean the manufacturing departments of the Government, the dockyards and arsenals, on which I think rates have a very fair claim. Now, I am sure the House will agree with me that everything which produces wealth or property produces pauperism likewise, and therefore ought to bear its share of taxation—and the dockyards and arsenals belong to this class, but even here I think the House will agree that it should not be left to be valued according to ordinary and local measures of valuation. If we had a shipyard used, like a firm, for the purpose of producing a balance-sheet, with something on the profit side of the account, we might fairly value our premises according to the ordinary valuation of the assessment committees. But a Government dockyard is not in that position. No private firm could undertake to pay the rent that ought to be paid for a Government dockyard, doing no more business than a Government does, because, a dockyard as an arsenal exists not only for the ordinary purposes of manufacture and repairs during time of peace, but for the extraordinary exigencies of a time of war. Thence it appears to me, and I hope also to the House, that it is wiser not simply to say that Government property shall be subject to rateability, and leave its valuation to local tribunals, but to retain some hold of that question ourselves, and to settle it in a different method. We, therefore, propose in the first place, to repeal the existing exemptions of Government property from rateability; but it is also proposed that these exemptions shall take effect when the value for the purposes of rating has been ascertained; and I have also a proposal to make with respect to the method of valuation. What I have to propose is, that the Government, availing itself of whatever assistance it may deem necessary, and having caused to be enumerated the properties properly subjected to rates, and those which are not, shall submit to the House a scheme for valuation, which will be brought forward at the beginning of next Session, and which will show the valuation of these properties which should be subject to rateability. That scheme or schemes will, like Provisional Orders, require confirmation by Act of Parliament, and any scheme to which local objection may be made may be discussed before a Select Committee of the House. I can not help thinking that the House will agree with me that this is a proposal which the complications and difficulties of the subject make reasonable, and that it is a proposal just both to the localities which have to be relieved, and the taxpayers who have to pay for that relief. I come, in the next place, passing from the first Bill, to the second, which deals with measures of valuation and assessment. Much has been done by the legislation of recent years to secure accuracy and uniformity of assessment. The Act of my right hon. Friend the Member for Wolverhampton (Mr. C. P. Villiers), passed in 1862, and known as the Unions Assessment Act, is one of great value, and one which reflects great credit on the Poor Law Department as well as upon my right hon. Friend himself. By that Act is secured what was very much wanted at the time, uniformity of valuation and uniformity of deductions, for the purpose of getting at the gross rateable value within unions, and the result of the Act has been eminently successful in procuring uniformity of valuation. But the Act was of course not complete, for his right hon. Friend could not, he believed, have well gone farther at the time than he had done, and there was accordingly a deficiency in the measure. The county rate, as the House knows, is levied by the valuation which the Justices make, and the valuation of the union assessment committees does not bind the county; so there is not uniformity between unions and parishes and different unions, and, above all, the Act does not secure a valuation which may be accepted as the basis not only of rates, but of taxation also. The variation in valuation as distinguished from assessment is not comparatively great, but I think the House will be surprised to hear how very great and how very numerous and complicated are the differences in arriving at the net or rateable value of property. You first value the property gross, and then you make those reductions which are necessary to obtain the net value. From a Return issued in 1866, I find that, at that time, as to land without buildings there were 37 different scales in the different unions of the country, and that the deductions varied from nothing—if that can be called a deduction—to 24 per cent. I find, with regard to land with buildings there were 56 different scales, and deduction from 1½ to 50 per cent. As to the houses above £5 and under £8, there were 74 different scales, and deductions from 2 to 50 per cent. With houses from £8 to £15 there were 48 scales, with deductions from 5 to 36 per cent; and with houses from £15 and upwards there were 53 scales, with deductions varying from 5 to 33½ per cent. As to mills there were 56 scales, with deductions from 10 to 50 per cent; and with regard to manufactories there were 41 scales, with deductions from 5 to 50 per cent. Now, what is desirable must be at once evident to the House. It is desirable that we should have uniformity of gross valuation, and uniformity of deduction for the purpose of arriving at the net or rateable value not only as between every parish and union in the county, but as between the various counties, in order that we may have one basis of valuation for taxes such as the income tax, the house duty, as well as for rates. This desideratum, which is no novelty, and not an invention of mine, has been the subject of two Bills before the House already—one in 1867, by the right hon. Member for North Northamptonshire (Mr. Hunt); and another in 1869, by my right hon. Friend the First Lord of the Admiralty. Now the Bill which I propose is founded upon those two measures. We propose to secure accuracy and uniformity of valuation by introducing the surveyor of taxes to propound the valuation, and to deal with it in the interests of the Inland Revenue, and we propose to secure uniformity of deduction by inserting certain maximum deductions in the Bill which, from our experience of the Metropolis Valuation Act, we think will be generally accepted as the general deductions to be made. We further propose that the valuation shall be quinquennial, and that there shall be an appeal; but at the same time we think it desirable that the existing system of appeal first against the valuation, and then against the rate founded upon it, shall not be adopted, as involving a waste of time and money. [An hon. MEMBER: To whom, then, will the appeal lie?] In the first place, to all the Justices; but there must be an alternative, and I am not sure how the matter may be ultimately settled. But the first appeal will be to the Quarter Sessions, or to a Committee of the Sessions. I might, perhaps, make my explanation more clear, if I were to state categorically, in what respect the present proposals differ from those which are contained in the Bill of the right hon. Member for North Northamptonshire, to which I have already referred. That Bill retained the present assessment committees and my Bill does the same. In the second place, the right hon. Gentleman created a County Board—which was to expire when its functions were performed—to fix the scale of deductions within the limits of the Bill. I make no such proposal, and I believe, from experience, it will be found that the maximum scale proposed will be adopted. The right hon. Gentleman proposed, in the third place, that the valuation should be conclusive, both for Government and local purposes, and my proposal is identical; but while the right hon. Gentleman's Bill provided that the valuation should be revised every three years, my proposal is that the revision shall be quinquennial. Again, the right hon. Gentleman proposed to appoint a surveyor of taxes, with a right of appeal, and in the present Bill a similar proposition is contained; but the right of appeal which the right hon. Gentleman would give to the County Court Judge, it is now proposed to give to Quarter Sessions. [Mr. HUNT said, he gave a right of appeal to the County Court Judge, or to a Committee of Sessions.] I would, in the next place, observe that there has been somewhat of a scandal with regard to the uncertainty with which great mansions have been valued, although I am bound to say that the result of the Unions Assessment Act has been to diminish that scandal. It is not unnatural that there should be some sense of grievance at what I may term, at least, an inaccuracy of valuation. The ordinary principle of valuation adopted, whether legally or not I cannot say, is to test the value of property by its lettable value. But when the property consists of a mansion, which is the ornament of an estate and which is never let, there is no means of ascertaining its lettable value; and the owners of such properties have escaped on terms which they themselves scarcely regard as creditable or equitable against themselves. It is not an easy matter to define value when the market value cannot be ascertained; but I have endeavoured, in response to the general feeling of the House, in which I myself share, to draw up a clause to secure the fair valuation of such property as I have just referred to. I will not dwell upon the point at the present moment, and it will be best for the House to well consider it when it is before them; but I will merely state the clause proposes to impose upon the rating authority, and upon the judicial authority which may have to decide between the rating authority and the appellant owner of the property rated, the duty of determining the rateable value of a house, the letting value of which cannot be ascertained, because it is not liable under ordinary circumstances to be let. If the House will allow me I wish to state that I put this clause before them for discussion and in no absolute spirit, for I am fully aware of the difficulty of the subject; but at the same time I feel that there is a general sense that if possible some form of words shall be arrived at which will make it palpable to the public that the owners of houses of the peculiar character I have pointed out are on the whole bearing their full share of local burdens. [An hon. MEMBER: Do the proprietors of mines and woods get the benefit of the maximum deductions?] I am asked whether the maximum of deductions to which I have referred will apply to mines and woods. Certainly they will, and to all other classes of property, unless we find reason in passing this Bill through Committee, to make other and more specific methods of dealing with them. I now come to the third Bill, as to which I need detain the House but a very short time. The object of the third Bill is to enable the making of a consolidated rate. Any man who pays rates—and where is the man in this House who does not—has an experience not altogether agreeable, not only as to their amount, but as to their unintelligibility. I think it advisable that they should be intelligible, and I do not know a better way of making them intelligible than by providing that all rating authorities should make their demands upon a parochial authority, who should levy a consolidated rate, stating in the demand note the proportions of that rate for each particular subject of demand, and levying that rate by convenient, probably quarterly, instalments. The object of that proposal is to make the rate intelligible to everybody. That appears to be a very simple object, but I think it one of very considerable importance, and it is a proposal based upon the Reports of two Committees of this House. The first is the Report of the Select Committee upon Poor Rate Assessments, which sat in 1868, and was presided over by my right hon. Friend the First Commissioner of Works (Mr. Ayrton). In that Report I find a recommendation to the effect, that every local authority entitled to raise any money by means of local rates shall make a requisition upon the overseers, or other proper officer, for the whole amount required, as far as the same can be estimated for a period of one year, that the requisition shall be delivered to the overseer, or such other officer, a reasonable time before the commencement of the year, so as to enable him to comply with the terms of such requisition; and that such overseer shall, on receipt of such requisitions, make one consolidated rate sufficient to satisfy all such requisitions. The other was the Committee on Local Taxation which sat in 1870, and was presided over by my right hon. Friend the First Lord of the Admiralty (Mr. Goschen); and they recommended that on a rate being made, a demand note should be left with every ratepayer, stating the amount of the requisition, the rate in the pound for each purpose, the period for which the rate is made, the rateable value of the premises, the amount of rate, and the date for payment of each instalment. We adhere to their proposals with two exceptions; we do not propose to create parochial councils for any purpose, and in fact the Public Health Act of last Session will have prepared hon. Members for the announcement. We propose to leave the parochial collection of rates to the overseers. In the next place, there is a special partial exemption from rates which land as distinct from houses enjoys in sanitary districts to the extent of three-fourths of the sanitary rates. There can be no doubt that if you have an area of local taxation perfectly homogeneous in its character, as a thoroughly urban population, there will be very great convenience as well as justice and great simplicity in having all rates based upon a full valuation; but, however desirable that may be, it is not possible as things are. For instance, I suppose the greater proportion of municipal boroughs in this country consist to some extent of land which is not covered with houses, and which does not derive equal benefit from the expenditure on sewers, the supply of gas and water, or the paving of streets as that part of the borough which is more thickly populated. But we have also to deal with urban sanitary authorities of all kinds, with local government boards, and local government districts, and I speak practically and from an administrative point of view when I say that in such a matter you could not possibly have that uniformity which is desirable, with any justice to that portion of the district which is not already covered with houses. Hon. Members know that in the Public Health Act of last year, I gave urban powers under certain circumstances to rural authorities. Where you have a village or some little industrial community not large enough to be constituted an urban authority in itself, we took power to give the rural sanitary authority urban powers as regards their expenditure on such portions of their district. Now we have no wish, in any degree, to appear to restrict or take away those powers, as we should have to do in fixing an uniform valuation, and, therefore, it would be extremely unfair to have the same valuation in all cases. I hope I have now, though only in dry outline, afforded sufficient information to induce the House to give me leave to introduce these Bills, and that I have not wearied them in doing so. I hope at the earliest possible period to go into the larger and in one sense more interesting and important question of local government in its relation to the Imperial Government, and to the hold which the Imperial Government ought to have upon it. When I come to that subject, I shall only have to ask the House to enable me to prepare the way to propose measures on a future occasion. For the present, all that I have done is to address myself to the first, smallest, and simplest branch of the subject; but I trust that I have sufficiently satisfied the House to give me leave to introduce these Bills, and that I have succeeded in so presenting the question, that the House will feel that our object and endeavour have been to present to it proposals fair, practical, and moderate; and tending, as we hope they will, to an issue in which we may all join. I move for leave to bring in the first of the Bills of which I have given Notice.

Motion *agreed to.*

Bill to amend the Law respecting the Liability and Valuation of Property for the purposes of Rates and Taxes (Queen's *Consent* signified), *ordered* to be brought in by Mr. STANSFELD, Mr. Secretary BRUCE, Mr. GOSCHEN, and Mr. HIBBERT.

Bill *presented*, and read the first time. [Bill 146.]

Motion made, and Question proposed, —"That leave be given to bring in a Bill to provide for uniformity in the Valuation of Property for the purposes of Rates and Taxes."—(*Mr. Stansfeld.*)

SIR MASSEY LOPES said, he rose for the purpose of making a few general remarks on the statement of his right hon. Friend the President of the Local Government Board. To many portions of the scheme of the Government Local Taxation, Reformers would, no doubt, give their adhesion; but he was bound to say, that instead of bringing forward the comprehensive measure promised to the House four years ago, the Government were going to deal with the question in a piecemeal manner; and instead of giving the promised relief, the Government were about to aggravate the grievance complained of. Many of the proposals embodied in the Bills would be advantageous, such as those relating to the consolidation, the collection, and the auditing of rates, and to the uniform valuation; but the cardinal grievance of which he complained would remain unredressed, as no remedy whatever was provided for the excessive taxation which constituted the grievance. Only the other evening the right hon. Gentleman at the head of Her Majesty's Government said the essence of the Resolution passed last year was relief to local burdens, He would ask the right hon. Gentleman however, how that relief was to be applied. It was useless to dangle before the eyes of hon. Members visionary and shadowy schemes of relief. Something real, practical, and tangible was required, and the relief ought not to be contingent or prospective. In what way would these Bills give the relief that was required? He could not help thinking that by including a description of real property which at present was exempted from taxation, the right hon. Gentleman was aggravating the grievance complained of. By the Act of Elizabeth certain descriptions of real property were exempted, but under that statute all personal property was liable to rating. Now, he thought it very hard that while the Government were spreading their net so as to include a small proportion of real property which was now exempt, all personal property would continue exempt. That would intensify the grievance, and, in fact, the Government were simply going to adjust the chains of the local taxpayers in order to make them more secure. His right hon. Friend had truly said he (Sir Massey Lopes) had never complained of the whole of the large amount of rates which was collected in this country. He had always confined his grievance to the £11,500,000 to which his right hon. Friend referred. What he wanted was, not only a consolidation, but also a classification of rates, and an inquiry for the purpose of ascertaining for what purposes, local or national, they were raised. That was almost the foundation of what was required in order to get anything like a solution of this difficult problem. Local rates were of two kinds—namely, those levied for local and those levied for national purposes. If a town wished for its own comfort and convenience to tax itself voluntarily, the cost ought to fall on the town, and not on the nation. This, he maintained, was not taxation in the real sense of the word, for to a certain extent such improvements were in the nature of investments. They were in fact reproductive, and were voluntarily incurred. There was a great distinction between such rates and those raised for national purposes, over which the local ratepayers had no control whatever. That was the crucial test, and the extent and degree to which the nation or the Government exercised control over the rate, and to that extent only, was the locality justified in asking for relief from the nation for the purpose of carrying out the object in view. He complained that the First Lord of the Treasury, the President of the Local Government Board, and the First Lord of the Admiralty had taken up a false issue in this matter, and endeavoured to evade the real question. The question raised in that House was the relative taxation between the different descriptions of property—real and personal; but the right hon. Gentleman had narrowed the issue and had discussed the question as though it were one as to the relative taxation of the same descriptions of property—namely, land and houses. He (Sir Massey Lopes) had been much misrepresented and misapprehended with regard to what he asked; but he had never asked for the local rating of personal property. It might be just to rate stock in trade, but he had never asked for it, feeling it to be impracticable of accomplishment. From local rates locally administered they had no claim for exemption, nor for what were termed hereditary burdens; but the grievance which he had endeavoured to urge was with reference to those new impositions which had been continually imposed in recent years. The Chancellor of the Exchequer boasted the other night that during the four years he had been in office he had remitted £9,000,000 of Imperial taxation, but he (Sir Massey Lopes) was prepared to prove that during that time he had imposed burdens on the local taxpayers on one description of property fully half that sum —namely, £4,500,000 of taxation. That was the injustice of which he complained. He therefore asked for additional subventions for national purposes as the best, and easiest, and fairest way of meeting those rates which were levied for national purposes. It was not asking the House to adopt a new principle, because for years past the Imperial Exchequer had contributed, not one-fourth as was supposed, but only one-fifth of the expense of the police; neither did he ask for an indefinite sum to be taken from the Consolidated Fund, but that relief should be given for definite objects of an Imperial character. He asked, in the words of the right hon. Gentleman opposite, for equality between the different classes of the community in respect of their aggregate contributions to general burdens. The proposed legislation was not satisfactory, and it was, in fact, deluding the country with false expectations and visionary schemes. The Resolution which the House agreed to last year was a very simple one—namely, that no legislation would be satisfactory that did not give relief for certain definite objects. Government not only refused to carry out this solemn decision of the House, but were pursuing a course expressly condemned by that Resolution when they proposed to impose on certain real property, hitherto exempt, exceptional taxation for national objects.

Mr. CORRANCE said, that as the right hon. Gentleman the President of the Local Government Board, in introducing his measures, had departed from the usual course of tracing his subject, and then arriving, by an exhaustive process, to the measures he was about to submit, he would endeavour to supply the information. The subject as to the incidence of local burdens was one of a somewhat ancient date, for in 1868 the hon. Baronet the Member for South Devon (Sir Massey Lopes) moved a Resolution upon the subject. In 1869 the Government mentioned the subject in the Queen's Speech in these words — "A measure will be brought under your notice for the relief of some classes of occupiers from hardships in respect of rating, which appear to be capable of remedy." In that year the hon. Baronet the Member for South Devon moved for a Royal Commission to inquire into the subject, and on that occasion the Prime Minister said—"I think it would be the duty of the Government to make such proposals as they might think called for, with regard to a matter standing in the very front rank of duties devolving on a Government," and the present First Lord of the Admiralty said—"That though he might take a biassed view of it, his constituents were as much, if not more than any other class, interested in a diminution of local taxation." In 1870 the right hon. Gentleman moved for the appointment of a Select Committee for a general inquiry into the subject, though in the Queen's Speech they were told—"That Bills had been prepared for extending the incidence of rating, and for placing the collection of the large sums locally raised for various purposes on a simple and uniform footing." In 1871 the Legislature was again invited in the Queen's Speech to apply itself to the re-adjustment of local burdens. The present First Lord of the Admiralty introduced a Bill, but it was never discussed. It was now said that this measure was received with partial satisfaction, but it fell still-born, and its author had never given the House an opportunity of considering it. The Government instituted private inquiries during the Recess, and it was expected that when Parliament again met the Local Government Board would be ready with a measure. The Session of 1872 was, however, a perfect blank. The topic was not alluded to in the Speech from the Throne, and there was no Bill except in embryo. That was too much for the patience of the House, and his hon. Friend (Sir Massey Lopes) having called attention to this grievous omission, the result was that memorable majority by which the Government were defeated. The Prime Minister thereupon promised the House a great and comprehensive measure, but where was it? Why, instead of redeeming their promise they had found it more discreet and prudent to deal with the subject in detail, doubtless under the idea that by so doing they would obtain more support from the different sections in the House than would be the case if it were dealt with in one Bill. There was, perhaps, not much to which exception could be taken, so far as the scope of these Bills was concerned; but the proposal with regard to assession of taxes would not meet with the approval of the local authorities. It was the most objectionable feature of the measure, and savoured of centralization of the most objectionable character. Such a proposition would meet with his decided opposition. He further believed it was impossible to establish any rule with regard to a maximum rate for deductions. The Government, in fact, were not dealing with the matter in a fair, impartial, and just manner. Any fair settlement, even if it were of a partial description, should receive his support, but he was certain that the country would be disappointed with the meagre measures now proposed.

MR. GOLDNEY said, that but for the opposition of the Government to deal with the question piecemeal, these Bills might have been introduced long ago, for they merely embodied some of the provisions of three Bills, which had been for some years before the country. The first Bill was addressed to the property to be rated. It specially exempted certain property which was already exempted by local and other Bills, such as canal property, and it removed the existing exemption from property in mines and trees and certain descriptions of Crown property. The second Bill, relating to valuation, was very little wanted in his own county (Wiltshire), and probably elsewhere. Now, at the end of three years, after the country had been waiting for some general measure dealing with the subject in its entirety, and giving relief to local taxation from the general funds, all that they had presented to them was those three meagre Bills, the nature of which he thought would disappoint the House, and at the same time would meet the general disapproval of the country. As he understood the Government proposition, it was that the bodies who were to make the local improvement rate, the county rate, the district rate, the sanitary rate, and so on, were to send in particulars to the overseers. It seemed to him, however, that it would be better, instead of throwing additional duties upon the overseers, to give the Boards of Guardians the power of appointing a person to levy and collect the rates. He could not, moreover, understand why the Government should not have taken a more comprehensive view of the subject, and have provided that the estimates of requirements should be sent to the unions instead. As regarded the rateability of property, too, he thought it was greatly to be regretted that a more comprehensive view had not been taken—such a view, for instance, as had been taken by another Department of the Government in the General Valuation (Ireland) Bill. Unless the whole subject were dealt with in a broader way, it would be much better that the Government should withdraw these measures, and re-introduce them in an amended form next Session.

Mr. PEASE said, that he did not share the disappointment of hon. Gentlemen opposite in regard to the Bills, for he maintained that local taxation must be placed on one equitable basis for the whole country. He especially approved of the Bills because they were intended to deal with an existing difficulty of great importance. In North Yorkshire alone there was a large ironstone district producing to the owners a rental of £120,000 to £150,000 a-year, which remained untouched so far as being rated to the poor was concerned. In Cornwall, in Wales, and other mining districts, property of that kind escaped local taxation. But the Bills would grapple with cases of this description, and would, he trusted, pave the way for a more equitable distribution of our local rating. He also thought the Government had adopted a wise course in trying to settle that principle before proposing to assist the rates by transferring any of them to the Consolidated Fund. He owned, however, to feeling some disappointment at finding that instructions had not been given in the Bill as to how or on what principle the rating of mines was to be conducted.

Mr. GREGORY said, he had no objection to these Bills, if they only paved the way to the settlement suggested by the hon. Member who had just spoken; he feared, however, that their tendency was rather to block it. If the Bill were permitted to pass unchallenged by hon. Members on that side of the House, it might be supposed that they acquiesced in the principle involved in it, and accepted it as a solution of the great question of local taxation; whereas, it could in no way be considered by them as a settlement. What they contended for at that side of the House was, that all property, real and personal, should be subject to the burden of local taxation. Why should persons be exempted who held property quite as fixed, as secure, and as valuable as real property? Take, for instance, the case of the mortgagee. His principal money was amply secured, and his interest was paid in priority to the demands of the owner; yet the mortgagee contributed nothing in respect of that source of income to the local burdens. The fund owner in the same way, and the holders of debenture stock, held property as substantial security as real property; but, so far as that property was concerned, contributed nothing whatever to local taxation. But all owners of property were interested in such taxation, and should bear the burden of it in proportion to their interest. Under the Bill of the Government, they would not do so; and he protested, therefore, against those measures being accepted as in any degree a satisfactory settlement of the question with which they were meant to deal.

Mr. CRAUFURD thought, as a Scotch Representative, that he had a right to complain that Scotland derived no benefit whatever from the pledge contained in Her Majesty's Speech, that the question of local taxation should be the subject of legislation this Session as well for Scotland as for England. He was sorry the Government did not adopt the broad principle of taxing property on the gross value, which had been worked out so satisfactorily in Scotland for many years. Instead of that, they adhered to the present objectionable practice which obtained in England, of rating property according to some arbitrary distinction between its gross and its rateable value. Scotland was far ahead of England in the matter, and experienced no difficulty in regard to the rating of mines. But what he chiefly complained of was that these Bills utterly ignored the demand for relief from Imperial funds to local taxation. The principle for which he contended had, to a considerable extent, been adopted in the case of Privy Council grants for education, in respect of which national object, assistance from Imperial resources was given to various districts of the country. It was also adopted in the case of grants for the administration of justice, and for medical and sanitary officers under the Poor Law and Public Health Acts. Why should it not be further extended so as to embrace all objects of a national character which were now paid for out of local taxation? He regretted that this subject of subvention had been postponed by Her Majesty's Government; for this he knew, that the burden of local taxation had become intolerable. He hoped the Government would reconsider their pledges, and would not put off to the Greek Kalends compliance with the demand made last

Session by a large majority, comprising hon. Members on both sides of the House, irrespective of party, that the general property of the country should be made to contribute equitably to local taxation. The Bills of the right hon. Gentleman might be good so far as they went, but they were only as a drop in the ocean of the general subject.

MR. A. JOHNSTON wished to know whether the Bills dealt with highways, which, owing to the abolition of turnpikes, were becoming a more and more pressing question. He was afraid that if the new system of local taxation were once stereotyped, without perfecting the machinery and embracing the question of highways and roads, it might throw obstacles in the way of dealing with that subject in future.

MR. STANSFELD, in reply to the various questions put to him, would first explain that the Bills did not deal with highways. They would fall under the second and larger branch of the subject —namely, local government, for which the Committee on Boundaries was intended to be a preparation. The hon. Member for Ayr (Mr. Craufurd) had complained of the postponement of the question of a Government subvention in aid of local taxation. Now, he (Mr. Stansfeld) had to complain that scarcely a fair construction had been placed upon the explanation he had given with regard to the position of the Government in the matter, for they were pledged, deeply pledged, to offer at the proper time substantial relief to local burdens, but they must be allowed some discretion as to the time, and he had stated very explicitly not only the reason why the Government felt that they could not enter upon that question at present; but also the steps by which they thought that it could be best approached, and he had indicated at the same time the period when it might best receive consideration. Meanwhile there was yet a much greater question for consideration than that of affording relief from local burdens out of local taxes. That relief might, under existing circumstances, be made under conditions which would make it no relief at all; which would produce demoralization, and lead to extravagance instead of to efficiency and economy. The Government were therefore distinctly of opinion, responsible as they felt themselves to be, that they could only approach the question of a Government subvention by the steps which they had indicated, and that such subvention must come in the very last instance, crowning, as it were, the arrangements for the complete organization of local government, and of the relations between local and Imperial control. He did not pretend that these Bills were a settlement of the financial question, for it remained intact; and hon. Members like the Government, were free to approach it under what he thought would be more favourable circumstances and a more fitting opportunity. The hon. and learned Member for Chippenham (Mr. Goldney) had asked why he did not extend the area of collection. Now, there would certainly be advantages in enlarging the unit, not only for the purpose of administration, but for the collection of rates, from the area of the parish to that of the Union. Collection would thus be invariably in the hands of paid and presumably competent and responsible men. Simple, however, as the proposal might appear, it would be a great revolution in the habits and perhaps the prejudices of 16,000 parishes, and his proposing it would probably result in the defeat of the whole measure. Should, however, the hon. and learned Gentleman raise the question in Committee, the Government would meet it fairly, and would admit the recommendations it possessed, whatever difficulties attended it. The proposal in the second Bill to bring in the surveyor of taxes in the valuation of property had given the hon. Member for Suffolk (Mr. Corrance) a not unnatural suspicion of centralization. That arrangement, however, already existed in the Metropolis, and it was proposed by the right hon. Gentleman opposite the Member for North Northamptonshire (Mr. Hunt) in 1867, and by the First Lord of the Admiralty in 1869. It was essential to a valuation list complete for Imperial as well as local taxation, and the assessment committee might refuse the surveyor's valuation, which would only be one of the elements of the case before them, and he would have no greater right of appeal than a local authority or individual, while his suggestion would in the last resort be judged, in 99 cases out of 100, by local tribunals. In conclusion he might explain that he had accidentally omitted to explain a proposal as to incorporeal hereditaments. Putting aside rights of way, of common, of navigation, and manorial franchises of various kinds, which, from their small and uncertain value, would not be likely to contribute appreciably to the rates, the Government proposed to legislate with regard to the right of sporting. This, when united with the occupation of land, as owner or tenant, was included in the value of the occupation, and was therefore rated, but when severed from such occupation it escaped. Where the owner in occupation, or an occupier having a right to the game, let the sporting, the rent received for it was taken into account in reckoning the rateable value. Where, however, the owner let his land, reserving the game to himself, the value of this incorporeal hereditament was not estimated; and where he let the land to one person and the shooting to another, the right was likewise not valued. The Government thought it fair that in both these cases the right of sporting should be subject to rates, and he anticipated no objection to the proposal.

Mr. GATHORNE HARDY asked in what order the Bill would be taken, and when?

Mr. STANSFELD said, he proposed to move the second reading of the first Bill, for abolishing exemptions, and of the Bill relating to assessments on Thursday, the 15th inst. The second reading of the third Bill, providing for a Consolidated Rate, he was prepared to postpone, because, practically speaking, he did not think they could make progress with it until they had advanced some way with the other two.

Mr. CLARE READ asked when the Bills would be in the hands of hon. Members?

Mr. STANSFELD said, the first and second Bills were already in type, and would be in the hands of hon. Members certainly before the end of the week. The third Bill was not yet printed.

Colonel BARTTELOT hoped sufficient time would be given for the circulation of the Bills through the country before the second reading. If they were to be in the hands of hon. Members only by the end of the week, and the second reading to take place on Thursday next week, there would be very little time.

Mr. STANSFELD said, he had proposed an early day because he thought the discussions would arise mainly in Committee, and because he was anxious, as time was running on, that no more of it should be lost than was necessary. He had no objection, however, to name Monday, the 19th, instead of Thursday, the 15th for the second reading, and he would give any time that was deemed reasonable for the Committee.

Mr. GATHORNE HARDY asked, whether the right hon. Gentleman would move for the Select Committee on the Boundaries of Parishes, Unions, and Counties, on Thursday next?

Mr. STANSFELD: Yes, on Thursday next.

Motion *agreed to.*

Bill to provide for uniformity in the Valuation of Property for the purposes of Rates and Taxes, *ordered* to be brought in by Mr. Stansfeld, Mr. Secretary Bruce, Mr. Goschen, and Mr. Hibbert.

Bill *presented,* and read the first time. [Bill 147.]

Consolidated Rate,—Bill to amend the Law respecting the collection and making of Rates, and to provide for a Consolidated Rate, *ordered* to be brought in by Mr. Stansfeld, Mr. Secretary Bruce, Mr. Goschen, and Mr. Hibbert.

Bill *presented,* and read the first time. [Bill 148.]

UNIVERSITY TESTS (DUBLIN) (No. 3) BILL.—[Bill 124.]

(*Mr. Fawcett, Dr. Lyon Playfair, Mr. Plunket, Viscount Crichton.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That the House do now go into Committee upon the said Bill." — (*Mr. Fawcett.*)

Mr. P. J. SMYTH said, it would, under ordinary circumstances, be far from his desire to obstruct for a moment the passage of a Bill abolishing tests—but he deemed it necessary to show that the simple abolition of tests would not accomplish the object which the hon. Member for Brighton professed to have in view, that it would not open the College and the University, and that it would not give a fair start in the race to all the natives of Ireland. He missed from the back of this Bill the name of the right hon. Gentleman the senior Member for Dublin University. The omission was a remarkable one; but in Ireland, where the real sentiments of the right hon. Gentleman were well known and appreciated, it occasioned no surprise. The Bill abolished tests in the interest of secularism, but it retained concurrent endowment to the detriment of Catholicism. He would illustrate by a single fact the position in which it left Trinity College in regard of concurrent or denominational endowment. Of the numerous endowed secondary schools in Ireland he would take two classes—the Royal Schools and the Erasmus Smith Schools—and he found that they held exhibitions in Trinity College of the value—computed on a term of five years, being the average period for which exhibitions are held—of £26,110. The head of every one of these schools was a Protestant clergyman. Thus while they abolished tests they perpetuated ascendancy, and while ostentatiously throwing wide the door for the majority, they maintained still for the benefit of the minority a royal road to mathematics. The right hon. Gentleman the Member for Buckinghamshire had gravely assured them that concurrent endowment was dead; and the right hon. Gentleman at the head of the Government had said that Imperial policy could no longer tolerate concurrent endowment. The facts he had stated proved that in Ireland concurrent endowment was not dead but living, and a glance at the Estimates would satisfy hon. Members that it flourished in every part of the Empire. There were Votes there which surely were supplies for the living body, not *immortelles* to decorate the grave of the departed. Perhaps concurrent endowment ought to die; but if die it ought, it should die fairly. It could not die to the detriment of the majority of the Irish nation, and live for the aggrandizement of the minority. It could not die to the bereavement of Catholicism in Ireland, and live to be the solace of Episcopalianism in England, and Presbyterianism in Scotland. They must greatly extend or fundamentally destroy concurrent endowment—endow all, or disendow all—level up or level down—but let there be equality in the eye of the State between all the subjects of the Queen. The proposition which he begged to submit to the consideration of the House did not raise directly or indirectly the question of endowments. It contemplated only legal privileges. It aimed at giving practical effect to an educational policy propounded by Catholic laymen, accepted by Catholic Bishops, sanctioned by successive Governments, and ratified by decisions of this House. The essence of the Government Bill of this Session was the affiliation of Colleges, and the only objection urged against that portion of the scheme was that it endowed the *Mater Universitatis* with too numerous a family, some of its members being spoiled children of the State. The affiliation of the Catholic University was in principle accepted on all sides. The terms of the proposed affiliation were disputed, but no opposition was offered to the policy of establishing as a College of the University of Dublin the institution known as the Catholic University. The policy was not a new one—it was as old as Charles II. Under the Acts of Settlement and Explanations, it was provided that—

> "The Lord Lieutenant or other chief governor or governors of this kingdom, by and with the consent of the Privy Council, shall have full power and authority to erect another College to be of the University of Dublin, to be called the King's College,"

and to endow it for ever out of the Crown lands with an allowance of £2,000 a-year—which would, of course, be represented now by a much larger sum. It was evident from the spirit of the Act of 1793—the 33 *Geo.* III, c. 21—and from the specific words, "Papists might graduate and be Professors or Fellows of any College hereinafter founded in Dublin University"—that it was then in the contemplation of the Irish Parliament to found another College—necessarily a Catholic College—in Dublin University. It was the policy of the Supplemental Charter; and if he was not misinformed it was the groundwork of a plan framed by a committee of lay Catholics, and approved of by the Catholic Bishops, which was submitted some years ago to the right hon. Gentleman the Secretary of State for the Home Department. The Preamble of the Bill before them stated its object to be to render the University and the College freely accessible to the nation. The best commentary upon this was contained in the words of the right hon. Gentleman at the head of the Government—"It is impossible for them," the people of Ireland, "to have that free access if they are confined to the one mode of teaching which Trinity College affords." The Resolution he (Mr. P. J. Smyth) proposed would introduce another mode of teaching, and by so doing render the access free to the nation. If this Resolution were not accepted, when would the access be made free? Not this Session, nor the next, nor probably the next again, and meanwhile a nation was left out in the cold, discontent was fostered, and agitation encouraged. Free access to the nation! He thanked the hon. Member for Brighton (Mr. Fawcett) for these words. They established his case. They implied a mode of teaching, a system of education in harmony with the traditions, the feelings, and the instincts of the nation. For 80 years Catholic students, as individuals, had had free access to degrees in Trinity College. For 40 years Catholic students, as individuals, had had free access to degrees in London University. But the same free access that was given to them was also provided by the system of local examination for the Hindoo in India, and the Maori in New Zealand. He frankly acknowledged that no Government, Liberal or Conservative, had ever suggested that the claims of Ireland could be satisfied by placing the 4,500,000 Catholics, constituting the nation of Ireland, on a level with the solitary Hindoo or the solitary Maori. Both had admitted that the grievance complained of was a national grievance, and that the remedy provided must be a national remedy. The establishment of the Catholic University as a College in Dublin University would necessarily involve an alteration in the constitution of Dublin University, and possibly in that of the Catholic University itself. Such alterations would, as a matter of course, be made so as to render the constitutions of both conformable to the plan which both had voluntarily accepted. He was not called upon to enter into details upon that point. He simply asked the House to re-affirm a principle, and leave the arrangements to be made by a Commission chosen impartially without reference to creed or party. He believed—and he had reason to believe—that such an arrangement would be made as would astonish by its simplicity and its moderation, and command the assent of all for its fairness and its justice. The House, he conceived, should welcome a proposal that would relieve it of the task of discussing the details of Irish University Bills, and that would lay the foundation at least of an enduring settlement of this embarrassing question. The time approached when some Irish constituencies at least would be addressed by Friends of the right hon. Gentleman the Member for Buckinghamshire, or of the right hon. Gentleman at the head of the Government, and there was a natural anxiety to learn what part of the policy of 1868—a charter and endowment for a Catholic University—the one right hon. Gentleman had not abandoned, if he had not abandoned all and every part of it, and to what extent, if any, the other right hon. Gentleman was prepared to allow his Imperial policy to bend to national conviction. Whatever might be the fate of this Amendment, the House, he felt satisfied, would concur with him that the indefinite postponement of a settlement declared to be vital, not alone to the peace and prosperity of Ireland, but to the honour and existence of Government, was opposed alike to sound policy and the true interests of the Empire. The hon. Member concluded by moving the Amendment of which he had given Notice.

THE O'DONOGHUE, in seconding the Amendment, said, he knew of no reasonable grounds on which it could be resisted, for the hon. Members for the University of Dublin, who on this question represented the Irish Protestants generally, had said that they were not opposed to the affiliation of this College; and it was a well-ascertained fact that the Catholics were not hostile to the principle of affiliation. Floods of eloquence had been poured forth in the late debate, on the social advantages of mixing the youth of both religions in these academic halls; and he mentioned that fact in order to declare that there never was a greater calumny than the assertion that the Catholic Bishops discouraged the social intercourse of Catholics with Protestants. He condemned the Bill of the hon. Member for Brighton (Mr. Fawcett) as useless either as a settlement or a concession. Who wanted the Bill? The Catholics did not want it—the Irish Episcopalians did not want it. It was a mere waste of time to discuss it. Moreover, he contended, that if the Bill were to pass in its present shape, the question of Irish University education would be left exactly in the same position as that in which it now stood. To pass it would be a mere waste of time, unless it was intended for some half-dozen or dozen loose Roman Catholics, who misrepresented the views of their co-religionists. He, for one, protested against the attempt to force on Ireland a University system which was condemned by the Roman Catholic Church; and although the hon. Member for Brighton might not regard the Bill as a settlement of the question, he believed there were many hon. Gentlemen in that House who had made up their minds to treat it in that light. If so, Irish hon. Members opposite never had a better opportunity to prove their sympathy with the majority of their countrymen than by voting for the Amendment of the hon. Member for Westmeath. They would not have another opportunity of showing that they could separate themselves from party—not even if the right hon. Gentleman the Member for Buckinghamshire became Prime Minister. They had shown that they could separate themselves from party—party divisions were not always taken on questions of principle. Perhaps those hon. Gentlemen would say that they sympathized with the Motion, but that the time for passing it was inopportune, and at no distant day that sympathy would ripen into a warmer alliance. That would be consolatory, remove much mystery, and pave the way for great things in future. He hoped the hon. Members for the University of Dublin would not be silent on this question, but state whether they were for or against it; and whether now or at any future time they would help to obtain a University education for their Catholic brethren. He hoped hon. Gentlemen would not hesitate till Parliament met on College Green, for whenever that happened, this and other questions would be settled without their assistance.

Motion made, and Question proposed,

"That it be an Instruction to the Committee, that they have power to provide for the establishment, as a College of the University of Dublin, of the institution known as the Catholic University."—(*Mr. P. J. Smyth.*)

Mr. BAGWELL said, he inferred from the speeches of the hon. Members for Westmeath and Tralee, that they had come round to his opinion—namely, that the way to improve Ireland and to raise her in the scale of nations was in the matter of education to band Irishmen together, not as followers of Luther or Calvin, or as followers of this or that Pope, but as Irishmen. That such a proposal should have come from his two hon. Friends was to him most gratifying, and it should have his hearty support.

Mr. DIGBY said, on the contrary, he thought that Irish Members would find it difficult to defend themselves from the just reproach which would be brought against them if they supported the present Motion. The Government proposal seemed to him in substance better than that which the hon. Member for Westmeath (Mr. Smyth) now brought forward, and yet it had been rejected by them. For himself, he was not prepared to recede from the demand which had been preferred by the Catholics of Ireland in favour of denominational education in Colleges.

Dr. BALL thought the House had better decline to discuss the Motion, as it could not do so without reviving a very wide and important subject—the whole question of University education in Ireland. This was undesirable for many reasons. In the first place, the present was only an abstract Resolution, and it should be remembered that an opportunity was given by the Government for the second reading of the hon. Member for Brighton's Bill on a Government night, on the distinct understanding that it was to be confined to the abolition of religious tests. He therefore suggested to his hon. Friends the Mover and Seconder of the Motion that it would be better for their own interests not to pursue the matter further, but to be satisfied with having stated their views, and left on record the claim which they made; and that the House should proceed to pass what undoubtedly was a great benefit and gain to such members of the Roman Catholic Church as did not think that education in every respect should be united with religious teaching, or require the teachers to hold a particular form of belief.

Sir JOHN GRAY supported the Motion. The very ground upon which he objected to the Bill was, that it conferred the opportunity upon those Catholics who did not object to united education. He thought the moment chosen very opportune, for if the instruction were adopted, then the Committee would inquire into all the details as to how affiliation could be carried out. The great objection to this Bill was, that it would be accepted by the majority of the House as a settlement of the question.

THE O'CONOR DON entirely concurred in the opinion, that it would be desirable to have a Catholic College affiliated to the University of Dublin; but to allow of such a proceeding taking place, it was essential, in the first instance, that the constitution of the Governing Body of that University should be of such a character as to permit of the affiliation of a Catholic College to it. Now, the Bill of the hon. Member for Brighton (Mr. Fawcett) did not in any way propose to alter the constitution of the University of Dublin; nor did the Resolution of his hon. Friend the Member for Westmeath (Mr. Smyth) so far as he could see, give power to the Committee on the Bill to alter it. Under these circumstances, he did not know that he would be justified by Catholic opinion in Ireland in supporting the Motion; and he hoped, therefore, that his hon. Friend would not think it necessary to divide the House upon it, because it might give rise to misunderstanding.

MR. SYNAN said, he was also opposed to any attempt at a settlement of this question, which proposed affiliation without any change in the constitution of Trinity College. He adopted the principle of the Bill proposed by the right hon. Gentleman at the head of the Government, though he had voted against it. He had voted against it because the right hon. Gentleman himself had given up its principle. The Resolution now proposed would place the Irish Members in a false position, because they would be charged with having rejected, on one day, a measure of broad and liberal principles, and with having accepted, on another, a proposal involving but a small modicum of that principle for which they had been always contending.

MR. COGAN joined in the appeal made by his hon. Friend the Member for Roscommon (the O'Conor Don) to his hon. Friend the Member for Westmeath (Mr. Smyth) to withdraw his Resolution, as they had strong evidence to prove that the proposal which he made would be repudiated by all parties concerned. He had failed to show that it had any support from any party representing any section of opinion in Ireland. Having refused something like 10*s.* in the pound of their demands offered them by the right hon. Gentleman at the head of the Government, the Irish Catholic Members were not going now to accept 2*s.* 6*d.* in the pound, as proposed by the hon. Member for Westmeath. The present state of University education in Ireland had been characterized by the Prime Minister as a great evil which required to be remedied, and it was acknowledged by him that the present Bill was in no way a settlement of it. It remained to be dealt with in the future; and he trusted that the Prime Minister, notwithstanding the recent failure of his University Bill, with the courage which characterized him, would not shrink from again considering the question, and would not hesitate in a future Session to deal with that great question, which he trusted the right hon. Gentleman would be able to treat in a manner more in accordance with the feelings of the Irish people than before.

MR. BRADY said, that the Motion of the hon. Member for Westmeath (Mr. Smyth) demanded due attention, but it was not to be supposed that his hon. Friend had ever contemplated carrying it. He (Mr. Brady) had always thought that the Bill would never be viewed by the Irish people as a settlement of this question, and he was therefore resolved to vote against it. Although the right hon. Gentleman at the head of the Government had failed in his effort to deal with the question of Irish education, he might rest assured that the Irish people would ever remember with gratitude what he had accomplished in their interests and for their benefit.

MR. RONAYNE, in supporting the Motion, denied that Irish Members would be guilty of inconsistency in supporting it; indeed, he maintained that the principles advocated by his hon. Friend the Member for Westmeath (Mr. Smyth) were those which Irish Members had always advocated. The Bill of the Government proposed to destroy Trinity College and to raise an entirely new structure upon its foundation, which was to be handed over to the Castle of Dublin. He, on the contrary, had always advocated the maintenance of Trinity College, and he looked with great pleasure upon the attempt of the authorities of that institution to liberalize and reform themselves. Her Majesty's Government and the Opposition having both burnt their fingers in the attempt to settle this purely Irish question, they now asked that those in whom Catholics and Protestants had confidence might be allowed to try if they could not settle this vexed question among themselves in Ireland. The associations of Trinity College were dear to Irishmen, though Roman Catholics, and he could not but recollect that it was to the Bill of the Irish Protestant Parliament of 1793, the Catholics were indebted for the first step towards their emancipation. There was not that antagonism about religion socially in Ireland that the House supposed, and it was only kept up in that House, because each party had been taught for generations to complain here one against the other. The Chancellor of the Exchequer had recommended the Irish people to settle their railway questions at home, and then to come to that House to ratify the settlement. Let them be permitted to follow the advice of the right hon. Gentleman with respect to the University question, and he believed that the best results would follow.

Mr. MITCHELL HENRY supported the Amendment, on the ground that no proposal could be more in harmony with the wishes of the Catholic University, or of the Dublin University, as expressed in the debate which was held in its Senate, or of the Catholics and Protestants of Ireland, since nothing could tend more to promote the unity of the Empire and the stability of the Throne, than to affiliate the centre of the Roman Catholic education with the centre of Protestant education. He failed to see the inconsistency of voting for this proposal. To say that it was inconsistent to vote now for the affiliation of a Catholic College to the University of Dublin was to say that the great and wise policy of Mr. Burke had been mistaken from beginning to end. The only rule he desired the House to act upon in dealing with this question, as in dealing with other questions affecting Ireland, was that of taking the single-minded course of endeavouring to meet the wishes of the Irish people where those wishes were just and reasonable and could be carried out.

Mr. FAWCETT said, he would state, in a few words, the reasons why he was obliged to vote against the Amendment. It was impossible to vote in its favour, for it proposed to affiliate a Catholic College to a Protestant University without in the least degree altering the constitution of that University. Again, the Amendment was altogether foreign to the Bill, which was not a measure for the re-construction of the University of Dublin; it altered the Governing Body neither of the College nor the University; it was simply a Bill to deal with the abolition of tests, and if an Amendment like that were accepted, the whole question should be re-opened, and then they would have to inquire whether a Presbyterian College should not be affiliated, and whether it would not be better to affiliate the Queen's Colleges and abolish the Queen's University. The hon. Member for Kilkenny (Sir John Gray) supported the Instruction as a protest against the Bill being deemed a settlement of the question; but he forgot that the Government had given facilities to the present Bill, on the express understanding that it was not to be deemed a settlement, or as preventing the re-opening of the question when a favourable opportunity offered. The promoters of the Bill had reluctantly given up what they believed to be an important position, because they were anxious for the abolition of tests; but they felt that the question of Irish education could not be settled without a re-construction of the Dublin University. How that was to be effected the future only could tell, but he believed that no section of the House regarded this Bill as a settlement; and it was therefore unnecessary to press for a decision upon the point raised by the proposed Instruction. They sought to remove the great evil of tests, because they believed that that removal would greatly facilitate future reform.

Mr STAPLETON said, he could not support the Motion of the hon. Member for Westmeath (Mr. Smyth) on the grounds upon which it had generally been urged. The Bill would leave the University in possession of the Protestants, who would be able to secure degrees in Divinity, while the Roman Catholics had no such opportunity.

Beyond that, the Instruction seemed to contemplate separating the Roman Catholics from their Protestant fellow-students.

Question put.

The House *divided*:—Ayes 9; Noes 85: Majority 76.

Original Question put, and *agreed to*.

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Interpretation).

Colonel WILSON-PATTEN moved, as an Amendment, in page 1, line 17, after "office," to insert "shall not, so long as the University of Dublin shall continue to teach and to grant degrees in the Faculty of Theology, apply to any Professor of Divinity; but, save as aforesaid, the word." The Committee would see that the object of his Amendment was to make an exception in the Bill in favour of the Professors of Theology. He had supported the Bill both last year and this year, and thought it afforded the best foundation which which had yet offered itself for future legislation on the subject. The hon. Member for Tralee (The O'Donoghue) said, that it was a waste of time to pass the Bill. He (Colonel Wilson-Patten) thought that it was a most useful measure. Nobody pretended to regard the Bill as a final settlement of the question; but it would remove one of the obstacles to the settlement. Since the disestablishment of the Irish Church, it was no longer necessary to keep up the restrictions which prevailed in the University of Dublin. He, therefore, did not see why they should not clear away, by degrees, the obstacles which stood in the way of legislation on this question. An Amendment similar to his had been put on the Paper by his hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope); but there were objections entertained to the words of his Amendment which did not apply to the one which he (Colonel Wilson-Patten) proposed. He had not heard hon. Members from Ireland who had spoken in this debate take any exception to the maintenance of the Faculty of Theology. He believed that there had been a mistake in the House in regard to the feeling which existed about the University of Dublin in Ireland. That University enjoyed the affection and respect of the whole Irish people, and not a single Irishman would wish it to be destroyed. He believed that the Roman Catholic Members could consistently give support to his proposition, and he trusted that it would be supported by the Government. In conclusion, he could assure the House that in bringing forward the Motion, he was actuated by no party feeling, and he hoped that they would yet arrive at some settlement of the education question which would be satisfactory to all classes in Ireland.

Mr. GLADSTONE said, he understood that no objection was entertained by the promoters of the Bill to the Amendment, and he wished to say, on the part of the Government, that he had no objection to offer. It was an Amendment perfectly fair in itself, and it had been proposed in a manner to commend it to the acceptance of the House, and that more especially at a time when the whole question of the retention of the Faculty of Theology in the University of Dublin was still *sub judice*, and awaiting the decision of Parliament. He believed the Amendment would be received in no unfavourable spirit on the part of those of a different religious profession. The Government agreed that the question of University education in Ireland would require, and he hoped that favourable circumstances would offer some opportunity for, further consideration, and this provision, as an intermediate one, recommended itself to general acceptance.

Mr. BERESFORD HOPE said, that he had a Motion on the Paper similar in scope to that of his right hon. Friend the Member for North Lancashire (Colonel Wilson-Patten); but he accepted, with great pleasure, the form of words which had been proposed, believing that they substantially effected the object he had in view. He could not conceive such a thing as a Professorship of Divinity divorced from doctrine.

Mr. PIM said, he was so far satisfied with the Amendment, that he would not move the one he had on the Paper, which was nearly to the same effect.

Mr. FAWCETT said, that although as far as he was concerned he would rather not have had the Amendment, yet he accepted it in deference to the great preponderance of feeling in its favour, as expressed by hon. Members on both sides of the House, and in the hope that it would facilitate the progress of the measure.

On the Motion of Dr. Ball, the said Amendment *amended* by inserting the words "or lecturer," after the word "Professor."

Amendment, as amended, *agreed to.*

Clause *agreed to.*

Clause 3 (Abolition of Tests.)

Mr. T. E. SMITH moved, as an Amendment, in page 2, line 9, to leave out from "denomination" to "and," in line 10. The hon. Member said, his object in moving the Amendment was to do away with the possibility of any obligation being imposed upon any student to attend any religious service whatever.

Amendment proposed, in page 2, line 9, to leave out the words "to which he does not belong."—(*Mr. Eustace Smith.*)

Mr. PLUNKET said, it was a mistake to suppose that any fines or restrictions were imposed upon Dissenting students to compel their attendance at church. There was, however, a College Chapel within the walls which the students belonging to the Established Church had always been expected to attend, and the Amendment would be opposed to the feeling of the Members of that Body.

Sir DAVID WEDDERBURN said, the Bill provided that no person should be compelled to attend the public worship of any religion to which he did not belong. As one, however, who while a student at Cambridge, had been liable to penalties for not attending three chapels a-week, he did not think that young men should be compelled to attend even the worship of the Church to which they did belong, and he, therefore, supported the Amendment.

Mr. F. S. POWELL said, that if parents belonging to the Established Church intrusted their sons to the care of the College authorities, they would desire to see their attendance at the College Chapel enforced by a system of gentle compulsion.

The Marquess of HARTINGTON hoped that the Amendment would not be pressed, as no new power was given by the clause at all; and if the College had not power to compel attendance at chapel now, they would not have any such power under the Bill. This was a Bill, not for altering the constitution of the College, but only for removing certain religious disabilities. To pass the Amendment would be entirely to alter the character of the Bill.

Mr. OSBORNE MORGAN objected to any man being compelled, in order to bring himself within the relief of the clause, to become a member of any Church or religious sect or denomination.

Mr. DODSON remarked that, while in Mahomedan countries students were punished for breaches of discipline by being excluded from the mosques, the custom in Christian England seemed to be to compel their attendance at chapel. He opposed the Amendment for the reason that it was a direct premium for professing Dissent, inasmuch as a man would thereby relieve himself from attending chapel. He did not think it was any hardship on persons *in statu pupillari* to require them to attend chapel, provided the services were not contrary to their religious convictions.

Lord EDMOND FITZMAURICE supported the Amendment of the hon. Member for Teignmouth (Mr. T. E. Smith), on the ground that the whole system of compulsory attendance was bad, and in the English Universities was on its last legs. In two Colleges at Oxford the practice of compelling attendance at chapel was abolished, and he hoped that before long the practice would be generally got rid of.

Mr. M'LAREN said, he should give his support to the Amendment. He wished to add another instance to those of the noble Lord the Member for Calne (Lord Edmond Fitzmaurice). The University of the town he represented had about three times the number of students in the University of Dublin, and no one was compelled to attend any church, and, moreover, there was no chapel to attend. The University had existed 300 years, and there never was a chapel in it. No one should be obliged to attend the chapel of a different denomination to that to which he belonged. Indeed, he objected to giving power to compel a man to attend any place of worship.

Dr. BALL said, the existing practice was not felt as a grievance at all. Any student who objected on religious grounds to attend chapel had only to say so, which was tantamount to declaring himself a Dissenter, and then he had a right to remain away, there being no investigation into the matter. There was no compulsory attendance at Trinity College, except in the case of Protestant Episcopalians. In their case the proper guide was the wish of the parent, which was always to be respected. This, he believed, would almost universally be in favour of attendance. He objected to any interference with the domestic regulations of the College.

Mr. FAWCETT opposed the Amendment, but granted that, though he objected to compulsory attendance at chapel, he thought the matter should not be settled by the House of Commons, but should be left to the Universities to settle for themselves.

Mr. T. E. SMITH said, he should certainly take the sense of the House upon the Amendment.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 112; Noes 43: Majority 69.

Clause *agreed to.*

Remaining clause *agreed to.*

Schedule and Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

GENERAL VALUATION (IRELAND) BILL.

(*Mr. Baxter, The Marquess of Hartington.*)

[BILL 64.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Baxter.*)

The O'CONOR DON, in rising to move, "That the Bill be read a second time that day six months," said, he wished to point out that the Bill was of more importance to everyone connected with the landed interest of Ireland than, perhaps, was generally supposed. He objected to the Bill, as he had stated on a former occasion, because it was intended to entrust the valuation of all the landed property of Ireland to persons who were not competent to carry it on; but were this his only objection he would not now trouble the House, as he had entered into the subject very fully before. He objected to the Bill now because, if he understood it rightly, the principle on which the Bill was based was a most dangerous one. Under the previous Valuation Acts the valuators were required to examine the properties of the soil; they were to go into each townland and examine the soil, and calculate what that soil would produce, and in the Acts there were Schedules of prices for agricultural produce, and they were to estimate the produce by the scale of prices in the Act. But this was not the principle of this Bill. Turning to Clause 10 of the Bill, he found that the valuation was to be made on an estimate of the net annual value of the tenements and hereditaments, and he should like to hear from the Secretary of the Treasury how that net annual value of the land was to be ascertained. There was nothing in this Bill about an examination of the soil, or a calculation of its produce according to any fixed scale, as in previous Acts; but power was given to the valuators to determine what they considered the full annual letting value of the land, in other words what they considered ought to be the rent. This was a proposal of the most important character. Remembering the agitation in Ireland for what were termed valuation rents, he could not help pointing out to hon. Gentlemen on the other side of the House that they were sanctioning this principle by this Bill, and for himself he could not help objecting to having what was practically the settlement of the rental of the country placed in the hands of those in whom he had no confidence. He also objected to half the expense being charged on the local rates, for, though the present valuation was low this did not injuriously affect local taxation, and by an increase in the valuation the Imperial Exchequer alone would gain through a larger income tax. He objected also to the proposed cost of the valuation. It was stated before the Committee that the valuation could be made for £50,000 for three Provinces. It was now proposed that the cost should be £70,000. It was also stated before the Committee that the valuation would be completed in three years, but now it was proposed to extend it to seven years. Turning to the details of the measure, he found them to be of the most objectionable character. For instance, the clauses taxing machinery and taxing improvements in land, he considered most objectionable. It was proposed to pay a fixed sum for the revision, and that it should be fixed for seven years. Now, he could not say that he approved of having a fixed sum in the Schedule. He thought it would be much better that each county should pay for the work really done, and he intended to propose in Committee that each county should pay the cost of the revising officers and no more. He would prefer to see a system of valuation for Ireland similar to that which had been adopted in Scotland. He believed the valuation in Scotland had not cost more than £8,000 or £9,000; but the last valuation in Ireland had cost some £325,000, and took an unnecessarily long time to complete. For those reasons he felt it his duty to oppose the second reading of the Bill, and although he did not expect to be successful, he should certainly take the sense of the House on the measure, and intended in Committee to move Amendments in the direction which he had indicated.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*The O'Conor Don.*)

MR. KAVANAGH said, he supported the second reading of the Bill, because the present valuation was far below what it ought to be, and he thought it should be placed on a fair basis. He hoped, however, that the noble Lord the Chief Secretary for Ireland would postpone his Union Rating Bill until his new valuation was completed, believing that if that were done the great argument in favour of Union rating—namely, the inequality of taxation as between town and country—would then have ceased to exist. He objected strongly to Clause 16 as containing a proposal which was unfair, and there were one or two other clauses in the Bill which he also disapproved. He hoped, however, these faults would be got rid of in Committee.

MR. SYNAN said, he must oppose the Bill, on the ground that no local bodies in Ireland asked for the measure; and, moreover, he objected to it on economical grounds, and that it laid down no fixed principle of valuation whatever, for it would make the valuation much too high in Munster, Leinster, and Connaught, while it would be comparatively low in Ulster. The Bill, moreover, would increase the valuation in Ireland by some £3,000,000, so that that additional amount would be available for Imperial taxation. The Bill was one really for Imperial and not for local purposes; and the Treasury and not the localities ought in equity to pay the cost which it would entail.

MR. BRUEN objected to the Bill, on the ground that the proposal contained in it would have the effect of putting increased taxation on Ireland. The Bill was part of the financial policy of the Government, and therefore he thought it reasonable to consider it and the Budget together on the present occasion. The reduction of the sugar duties amounted to £1,625,000; and from the calculation which he had made from Government Returns, he had ascertained that the amount of the reduction in Ireland would be £30,000. The income tax reduction was £1,643,000; but the amount which Ireland would gain out of that sum would be only £105,000; Consequently, while the amount remitted by the Budget amounted to £3,238,000 the amount remitted with regard to Ireland would be £137,000, while the amount that would be imposed on Ireland by the increase of valuation would amount to £37,500. He considered that to be most unfair treatment to Ireland, for while the reduction was 2*s.* 5¾*d.* per head of the population of Great Britain it was only 6*d.* per head in Ireland. The effect of this Bill would be, by increasing the rateable value in Ireland, to increase taxation on the owners of real property who gained little by the reductions of the Budget. He was, however, glad to see that the new taxation which would be imposed upon Ireland, if the Bill became law, would affect only real property, and that the professional incomes would have the full benefit of the remission of taxation under the reduced rate of income tax. Under all the circumstances, he should feel bound to support the Amendment of the hon. Member for Roscommon.

MR. M'CARTHY DOWNING regarded the Bill as a simple measure for raising a certain further amount of taxation upon property in Ireland. The Irish tenantry would not be at all affected by the measure, but it would fall heavily upon the landlords in that country. However, as the Bill was framed against Ireland, it would, of course, be supported by England and Scotland and would pass. The rating of towns in Ireland since 1852 had been largely increased, whilst there was no such increase in the rating of the lands in Ireland. Why, he asked, did they not bring in a similar Bill as the present for England? The object of the measure was obviously to enable the Chancellor of the Exchequer to augment his revenue by the increased taxation of Ireland. He thought that the Government ought to have instituted an inquiry into this subject before they introduced the Bill.

Mr. BAGWELL said, that the Bill was misnamed. It should have been entitled a measure to enable the Government to draw more money from the already heavily-taxed people of Ireland. Nobody in Ireland had ever asked for this Bill, the effect of which would be to confiscate a little more of the property of Ireland entirely for English purposes. "Seething a kid in its mother's milk" was forbidden by the Jewish law; but the Government not only practically increased the income tax in Ireland by 3*d.* in the pound, but did it also at the expense of Irishmen. The duty of every statesman was to do something to induce the Irish people to remain in their own country; but this Bill, like the Church and the Land Acts, would have a directly contrary effect. It would be most unpopular in Ireland, and would be of no advantage to man, woman, or child.

Sir FREDERICK W. HEYGATE said, the object of the Bill was to establish a uniform rate for the purpose of taxation, and taken in that view it was impossible to resist the measure. Rent was not to be taken as the exact measure of the value of land, though it was a considerable element in its calculation, but there were other things that went to make up the gross amount. A certain amount of taxation had to be raised, and it was only right there should be an equitable valuation of the whole of the country. The present inequality arose from accidental circumstances, and this was but a fair and just proposal of the Government.

Mr. PIM supported the Bill, on the ground that it was desirable that there should be a complete re-valuation of the property of Ireland on fair and equitable principles, and said he should be content if the progress of this Bill were delayed until the House had considered the measure relating to the valuation of England, so that they might secure that the valuation in both countries should be conducted on principles more or less identical.

Mr. RONAYNE said, he wished to point out, that if the valuation of Ireland were raised to the extent it would be if this Bill became law, a large number of tenant-farmers would be shut out from the benefit which Parliament, when it passed the Land Act, thought right to confer upon them; compensation for "disturbance" under that Act would be reduced in some cases as much as 50 per cent; and many tenant-farmers would be placed in such a position that their landlords could compel them to contract themselves out of their rights under the Land Act.

Mr. BAXTER said, that not a single word had been uttered in the course of the debate adverse to the principle of the Bill, and as for the details, the Government were ready to listen to any suggestions for their improvement. He frankly admitted that one of the objects of the Government in introducing the Bill was to increase the Imperial taxation of Ireland; but there were other reasons which induced them to bring the measure forward. There were very complicated questions between landlord and tenant under the Land Act, and questions which affected the Franchise, none of which could be settled until the valuation of the country was placed on a satisfactory basis. An objection was urged to the Bill, that half of the expense was to be thrown on the counties, and it was said that if the Treasury wanted the Bill it ought to pay the whole of the cost. But he denied that the Bill was introduced wholly for Imperial purposes, and he would instance the case of the re-valuation of Scotland under the Act of 1854, when the whole of the cost was borne without complaint by the counties and boroughs of Scotland. He hoped the Irish Members would give him their assistance in making this Bill as satisfactory as possible, in which case he could assure them the measure would be not only to the advantage of the Imperial Government, but also of the people of Ireland.

MR. COGAN said, the right hon. Gentleman the Secretary to the Treasury had ignored the fact that Ireland possessed a valuation that was perfectly good for local purposes, and that the improvement was merely desired for Imperial purposes. That valuation cost £325,000, every penny of which was defrayed by Ireland, and the comparison the right hon. Gentleman had sought to draw with Scotland did not exist in fact.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 198; Noes 45: Majority 153.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

ENTAILED AND SETTLED ESTATES (SCOTLAND) BILL—[BILL 130.]

(*The Lord Advocate, Mr. Secretary Bruce, Mr. Adam.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*The Lord Advocate.*)

MR. GORDON said, he must complain that his hon. and learned Friend had vouchsafed no explanation of his Bill—which was one rather difficult to understand. It was introduced without remark, and now the second reading had been proposed without remark. The Bill proposed to alter the law of entail in Scotland and to unsettle the Act of 1848, which placed the Scotch entails on the same footing as English entails. He had no strong feelings in favour of entail; but he wanted to know what were the reasons which had induced the Government to introduce a Bill of that kind; what were the mischiefs it was proposed to remedy; what were the objects it was proposed to secure? He had had communications from several parties in Scotland, who had expressed their difficulty in understanding what was the object of the Bill as regarded the alteration of the law of 1848. He did not wish to oppose the Bill, provided the Lord Advocate could give good and sufficient reasons for its introduction; otherwise he should reserve his right to oppose the Bill when it went into Committee, by which time the country would be better enabled to express an opinion upon it.

MR. M'LAREN would not say anything about the entail part of the Bill, or to the desire to introduce the English system, but he desired to protest against the stringency of the clause relating to bequests to public charities. He thought the Bill should be deferred for some time to allow of an expression of opinion in Scotland in regard to its provisions.

SIR EDWARD COLEBROOKE said, the Bill was an improvement on the previous Bill, which was defective in this respect—that while it gave the best facilities for disentailing, it left intact the powers which owners had to entail. He was aware that the Bill did not meet with the entire approval of entail proprietors, but it gave the best facilities for the sale of property, and his own opinion was that they should give the best facilities for this, unless reasonable provision were made for other members of the family besides the heir. He also hoped the right hon. and learned Lord would re-consider the part of the Bill relating to mortmain.

THE LORD ADVOCATE said, the reason why he had refrained from making a speech in moving the second reading was that, as he could only make one speech according to the rules of the House, he thought it better to wait to hear what the objections to the measure were before making any remarks. The hon. and learned Gentleman (Mr. Gordon) had asked for certain explanations of the provisions of the Bill. He (the Lord Advocate) presumed that he had done this on behalf of others; because as the Bill had been in his hands for some time, and considering his position at the Scotch Bar, if he did not understand it, the plain course for him to take would be to move its rejection, on the ground that it was unintelligible; but, as he had not done this, he presumed his hon. Friend had understood it. He (the Lord Advocate) had, however, had conversations with various Scotch Members, who seemed thoroughly to understand what the Bill proposed. Now, as to the change which the Bill made in the Act of 1848, the first thing which must strike everyone who had read it was that it prohibited entails for the future, and that it rejected the Act of 1685, under which entails existed in Scotland, and which was not done by the Act of 1848. The Bill proposed to dispense with certain restrictions as to date of birth of heirs apparent, or nearest heirs qualified to give consent to sale, and to allow efficacy of consent without reference to the date of birth. With respect to the freedom given to the proprietors of entailed estates, he had to explain that under approbation of the Court they might, on the security of the estate, expend money to the amount of six years' revenue for the purpose of improvement, and it was to be observed that the Bill made it possible for proprietors to resort to the Court without any considerable loss either of time or money. That was an entirely new provision. The Act of 1848 made no change in that respect at all, but only gave credit to the successors of an heir of entail for three-fourths of any money spent by him for improvement. It was said there was no provision for proceeding under the Report of the Inclosure Commissioners; but he would undertake to have the defect in this respect made good before the Bill passed out of Committee. In answer to the hon. Baronet the Member for Lanarkshire, he proposed to give the Judges power to overrule what were called the mortmain clauses.

Mr. Hunt and Mr. Craufurd complained that a Bill of so much importance and intricacy should be discussed at half-past 1 in the morning — Mr. Craufurd objecting to the growing habit of bringing on Scotch business after midnight.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

CUSTOMS DUTIES (ISLE OF MAN) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to alter the Duties of Customs upon Sugar in the Isle of Man.

Resolution *reported :* — Bill *ordered* to be brought in by Mr. Bonham-Carter, Mr. Baxter, and Mr. Chancellor of the Exchequer.

Bill *presented*, and read the first time. [Bill 151.]

The Lord Advocate

PEACE PRESERVATION (IRELAND) BILL.

On Motion of The Marquess of Hartington, Bill to continue "The Peace Preservation (Ireland) Act, 1870," and "The Protection of Life and Property in certain Parts of Ireland Act, 1871," *ordered* to be brought in by The Marquess of Hartington and Mr. Secretary Bruce.

Bill *presented*, and read the first time. [Bill 145.]

GAS AND WATER PROVISIONAL ORDERS CONFIRMATION (NO. 2) BILL.

On Motion of Mr. Arthur Peel, Bill for confirming certain Provisional Orders made by the Board of Trade under "The Gas and Waterworks Facilities Act, 1870," relating to Fleetwood Gas, Midsomer Norton Gas, Holywell Water, and Monmouth Gas and Water, *ordered* to be brought in by Mr. Arthur Peel and Mr. Chichester Fortescue.

Bill *presented*, and read the first time. [Bill 149.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 6*th May*, 1873.

MINUTES.] — Select Committee — Railway &c. (Transfer and Amalgamation) Bills, The Viscount Hardinge *added* to the Joint Committee in the place of The Earl Grey.

Public Bills—*First Reading*—Marriages (Ireland) Legalization * (94).

Second Reading — Railway and Canal Traffic (84); Land Drainage Provisional Order * (70).

Committee—Report—East India Stock Dividend Redemption * (67); Fulford Chapel Marriages Legalization * (82).

NEW PEERS.

Edward Berkeley, Baron Portman, having been created Viscount Portman of Bryanston in the county of Dorset—Was (in the usual manner) introduced.

Sir Robert Alexander Shafto Adair, Baronet, having been created Baron Waveney of South Elmham in the county of Suffolk—Was (in the usual manner) introduced.

RAILWAY AND CANAL TRAFFIC BILL.

(*The Lord President*).

(NO. 84.) SECOND READING.

The Marquess of RIPON, in moving that the Bill be now read the second time, said, their Lordships would recollect that last year various Companies came before Parliament with Bills for large schemes of amalgamation. One of those schemes, which attracted a very considerable amount of attention, was that for the amalgamation of the London and North-Western with the London, Lancashire, and Yorkshire system. That and other similar measures seemed of such great importance, and involved such very large interests, that, at the suggestion of the Board of Trade, Parliament thought right to appoint a Joint Committee, composed of Members of both Houses. The Committee devoted itself very sedulously to its work. It met for the first time in March, and continued its sittings till the 2nd of August, when it made its Report. Obviously it was impossible for the Government to propose to Parliament any action on the Report at that period of the Session; and consequently they had been unable to bring forward any legislation on the subject till the present Session. When the Joint Committee was appointed it proceeded, in the first instance, to consider which course ought to be adopted with respect to such very large schemes of amalgamation as were promoted last Session; and having fully considered that question, the noble Lords and hon. Gentlemen composing it came to the conclusion that it was impossible to adopt any general rule with respect to proposals for amalgamation. It was proved that, despite the strong feeling against such proposals which had been expressed by a large portion of the public, amalgamation had been, practically, unchecked; that it had gone on to such an extent that there was very little competition indeed between the Railway Companies of this country—there was scarcely any at all in respect of charges to the public, but there was some in respect of facilities for traffic, though there was no security that this would continue. No doubt, as regarded public conveyance there was a wholesome competition of another kind—namely, between conveyance by land and conveyance by sea. That competition was of a very effective kind, and ought not to be put an end to. There was also a certain amount of competition as between railways and canals; and it would appear the value of this competition to the public at large had not met with sufficiently careful consideration by the Committees which had had to deal with Bills for the amalgamation of railway and canal properties. The Joint Committee came to the conclusion that it would be very difficult to maintain by Act of Parliament an effective competition between railways in cases in which the Companies did not feel that such competition was for their own interests; but, at the same time, it arrived at the conviction that, as a general principle, all amalgamation schemes ought to be made subjects of special and careful consideration, and that Bills for amalgamation ought to be submitted to a Joint Committee of both Houses. That recommendation had commended itself to Parliament, and a Joint Committee, which was about to commence its labours, had just been appointed. But the Committee of last year, going further than that, thought it was not possible in the interests of the public to rest satisfied with that single proposal. It appeared to the Committee that the public had a right to require greater security that schemes should not be brought forward and adopted which would place in the hands of Railway Companies an undue control over the traffic of the country. Turning its attention to the existing state of the law, the Committee examined the Act of 1854 generally known as Mr. Cardwell's Act. The Committee came to the conclusion that the principle on which that Act was framed was sound and wise, and that if it had failed—as admittedly it had—in producing all the benefits which Parliament had expected to follow from it, that circumstance was to be attributed rather to the machinery than to any defect in the principle of the Bill. When the Bill itself was before their Lordships' House its machinery was subjected to much criticism, and Lord Campbell pointed out that the Court of Common Pleas was not a tribunal well suited to give effect to the provisions of the measure. The noble and learned Lord said—

> "That was not a code which the Judges could interpret; it left them altogether to exercise their discretion as to what they might deem reasonable. They were, besides, to form a just judgment on all matters of complaint relating to railway management that might come before them; and they were to lay down a code of regulations for the government of railway companies. The Judges, and himself among them, felt themselves incompetent to decide on these matters. He had spent a great part of his life in studying the laws of his country; but he confessed he was wholly unacquainted with railway management, as well as the transit of goods by boats; he knew not how to determine what was a reasonable fare, what was undue delay, or

within what time trucks and boats should be returned. He believed he had correctly represented the feelings of all his learned brethren on the bench in reference to this Bill, with one exception, whom he mentioned with honour, respect, and reverence—he meant the learned Chief Justice of the Court of Common Pleas, than whom there was no Judge on the bench more zealous or more efficient; and that learned Judge, while he agreed in thinking that these were not judicial duties, had no doubt that his brethren on the bench would be able to work the Bill properly. . . . . They should have a lay tribunal for the decision of questions of the nature contemplated by the Bill, and not one composed of the Judges."—[3 *Hansard*, cxxxiii. 1137.]

The opinion which Lord Campbell expressed before the Bill passed had been fully verified since the Bill became law; and under those circumstances the Joint Committee were of opinion that it would be advisable to adopt the main provisions of the Act of 1854, and provide a better machinery for carrying them into operation. The Bill which was now before their Lordships gave effect to the recommendations of the Committee. It provided, in the first place, for the appointment of a Commission, composed of three persons possessed of special qualifications for the office of Commissioner under this Bill. The three Commissioners were to be appointed by the Government, and would be removable by the Lord Chancellor, but only for good and sufficient cause;—so that they would be completely independent of the Executive. The Commissioners would have to perform the duties which under the Act of 1854 were thrown upon the Court of Common Pleas. The Joint Committee of last year having gone into the subject came to the conclusion that the existing system of railway arbitration was very expensive and very unsatisfactory. All questions submitted to that arbitration would, after the passing of this Bill, be submitted to the Commissioners, who would settle them by arbitration. The question of "through rates" engaged the attention of the Joint Committee of last year, and in addition to incorporating important provisions of the Act of 1854, the 10th section provided that—

"1. The Company requiring the traffic to be forwarded shall give written notice of the proposed through rate to each forwarding Company, stating both its amount and its apportionment, and the route by which traffic is proposed to be forwarded:

2. Each forwarding Company shall, within the prescribed period after the receipt of such notice, by written notice inform the Company requiring the traffic to be forwarded whether they agree to the rate and route; and, if they object to either, the grounds of the objection:

3. If at the expiration of the prescribed period no such objection has been sent by any forwarding Company, the rate shall come into operation at such expiration:

4. If an objection to the rate or route has been sent within the prescribed period, the matter shall be referred to the Commissioners for their decision."

But the interests of the public having been so far protected, the 10th Section contained a further provision, which was only reasonable as affording a fair protection to Railway Companies. The section went on to provide that—

"In no case shall it be lawful for the Commissioners to compel any Company to accept lower mileage rates than the mileage rates which such Company may for the time being legally be charging for like traffic on any other line of communication between the same points, being the points of departure and arrival of the through route."

Their Lordships were, no doubt, aware of the obstructions to through traffic caused by what were known as "bar tolls." The provisions in this Bill having reference to through rates were based on the principle that, looking at what Parliament had done for Railway Companies, it was but reasonable that those Companies should grant reasonable through rates over their systems. On this point the Joint Committee had expressed a very distinct opinion. In its 16th recommendation the Committee stated—

"The Railway and Canal Traffic Act ought to be explained by enabling every Railway Company to make through rates and fares from or to any station on its own line to or from any station on any other line: the rates to be divided, as a general rule, according to mileage, after allowing for terminals; but with a provision that if any objection be made to the proposed rate or division as unfair, and no agreement can be come to, the Commissioners mentioned below shall, upon the application of any of the Companies interested, decide the matters in dispute."

He had already alluded to the importance of maintaining, as far as possible, the competition on land and water between Railway and Canal Companies. With that view section 14 of the Bill provided that—

"No Railway Company or Canal Company, unless expressly authorized thereto by any Act passed before the passing of this Act, shall, without the sanction of the Commissioners, to be signified in such manner as they may by general order or otherwise direct, enter into any agreement whereby any control over or right to interfere in or concerning the traffic carried or rates or tolls levied on any part of a canal is given to the Railway Company, or any persons managing or interested in the management of any railway; and any such agreement made after the commencement of this Act without such sanction shall be void. The Commissioners shall withhold their sanction from any such agreement which is, in their opinion, prejudicial to the interests of the public."

He thought it was clear that the interests of the public would be best served by keeping railways and canals under distinct management. It appeared from evidence taken by the Committee of last year that there had been cases in which Railway Companies in possession of canals had so managed the affairs of the latter as to greatly obstruct the public traffic; with a view of preventing that, Clause 15 of the Bill provided that—

> "Every Railway Company owning or having the management of any canal or part of a canal shall at all times keep and maintain such canal or part, and all the reservoirs, works, and conveniences thereto belonging, thoroughly repaired and dredged and in good working condition, and shall preserve the supplies of water to the same, so that the whole of such canal or part may be at all times kept open and navigable for the use of all persons desirous to use and navigate the same without any unnecessary hindrance, interruption, or delay."

He did not know that he need detain their Lordships by stating any other of the provisions of the Bill, as they related rather to matters of detail in the arrangements for carrying out those provisions which he had brought more directly under the notice of their Lordships. He need not remind the House that various suggestions which would be found referred to in the Report were made to the Committee of last year; but the Committee did not think it advisable to make any other recommendations than those contained in its Report. In a matter involving such large interests the safer plan was felt to be to proceed on the basis of existing legislation, extending the provisions of that legislation where they appeared to need extension, and improving the machinery for carrying them into effect where it appeared to need improvement. On that principle the Committee had proceeded; the Bill was based on the recommendation of the Committee, and he submitted the measure to the consideration of their Lordships as one which would tend to the interests of the public at large while doing justice to railway interests.

Moved, "That the Bill be now read 2ª."—(*The Lord President.*)

THE DUKE OF RICHMOND said, that having, during the period that he had the honour of being President of the Board of Trade been compelled to look very closely into this question, the experience he then gained had taught him that the subject with which the Bill dealt was an extremely difficult one, and therefore he would not attempt to throw any obstacle in the way of the Government when they were attempting by this Bill to give effect to the recommendations of the Joint Committee which last year went into the whole question with so much care. On the contrary, he would give the noble Marquess all the assistance in his power to pass a measure which might be for the interests of the public and the benefit of the Railway Companies. The noble Marquess had very truly stated that the Joint Committee to which the whole question was referred last year had devoted themselves very assiduously to the important task that had been committed to them, and the Report they presented contained most useful suggestions—indeed, without such a Report it would have been almost impossible to deal with the matter at all. As, therefore, the Committee had devoted such sedulous attention to the subject, he would have found it very difficult under any circumstances to oppose a measure founded on their Report. But he confessed that when he looked at the functions to be discharged by the Commissioners it appeared to him that to some extent the Legislature was taking the administration of the law out of the Courts of Law and placing it in the hands of three Commissioners to be appointed by the Act; and while he admitted that any Commission formed to carry out the provisions of the Bill would be of no use unless its powers were of a wide and extensive character, he thought that Parliament ought to take care that the powers given to those Commissioners were not greater than had ever before been given in this country to individuals, even when associated for a public purpose. The noble Marquess had not stated whether the three Commissioners were to cease altogether from any connection with or interest in railways and canals. Perhaps the noble Marquess thought it was so obvious they should do so that he had not deemed it necessary to touch on the point. He observed that the hon. Member for Gloucester (Mr. W. P. Price), who was to be appointed one of the Commissioners, had rather anticipated the decision of their Lordships' House. Feeling confident, perhaps, that the good sense of their Lordships would induce them to pass the Bill, the hon. Gentleman seemed to have already accepted the Chiltern Hundreds, so as to be able to take his new post the moment Her Majesty's Government were in a position to bestow it on him. He thought the hon. Member might better have waited at least until the Bill was read a second time in their Lordships' House; but that was only a matter of taste. He concurred with the noble Marquess that there should be no restrictions to through traffic in the shape of bar tolls, and the Commissioners would be doing a very useful work in preventing the imposition of such restrictions. He hoped also that the Commissioners would discourage attempts by one Company to enter the territory of another; because that brought about only a short competition which soon ended in combination, and he believed the system to be both injurious to the public interests and disastrous to Railway Companies themselves. He hoped the appointment of the Commission would prove more fortunate than a similar attempt made under the 9 & 10 *Vict.* c. 110, which had been found to work so badly that it was repealed by an Act 14 & 15 *Vict.*, which gave back to the Board of Trade powers which had been taken from that Department by the former Act. As the Commission was to be appointed, and as it was to be hoped that the Commission commanded the confidence of the public and of the railway interests, would it not have been better to refer the schemes of amalgamation now before Parliament to the new tribunal than to the recently appointed Joint Committee of the two Houses? If the Commission were to be capable of dealing with all questions arising in respect of railways *a fortiori* it ought to be capable of dealing with this subject of amalgamation. He had nothing more to say as to the general scope of the Bill, but there were some points in it which would require amendment, and in respect of certain of these he would perhaps have Amendments to propose hereafter; but to Clause 12 (Provision for complaints by public authority in certain cases) he could not omit at once directing the attention of their Lordships. This clause would give such a body as the Metropolitan Board of Works authority to travel over the country and find out what it might consider to be bad management on the part of a Railway Company; and it might then complain to the Commissioners of inconvenience caused by a Railway Company without showing that it was in any way an aggrieved party. It was impossible to leave the provisions of that section so wide and vague as they now were—words must be introduced to modify them. Again, he thought there should be a power of appeal in all cases by persons who found themselves aggrieved by the decisions of the Commissioners. No doubt the Commissioners would be fully competent to deal with questions of fact; but as even in questions of law the Bill allowed no power of appeal from the Commissioners, unless the Commissioners allowed it, that appeared to him to be a strong proposal—especially as only one of the three gentlemen to be appointed Commissioners was required to have any acquaintance with law. He thought the Bill might be much improved by Amendments which could easily be made in Committee, and he would gladly assist in making the measure one which would effect the greatest amount of good for the public generally, and at the same time be as little injurious as possible to that portion of the public which had a pecuniary interest in the railways of the country.

Lord HOUGHTON said, that the London and North-Western and the Lancashire and Yorkshire Railway Companies, having extensive traffic arrangements, had thought it advisable to come to Parliament with the view of having those arrangements put on a better footing; but little did the promoters of that amalgamation suppose that their simple application would not only give rise to great delay in the passing of private legislation, but would lead to a proposal which amounted to a revolution of the whole of the relations existing between Railways and the State. If he thought that the grievances of the public against railways were of a very serious and practical character, he would concur with the Government in thinking that such a measure as the one now proposed was necessary; but he did not believe it. He was of opinion that those who took the trouble to look into the matter would agree with him in holding that there had not occurred any such *lâches* on the part of the Railway Companies in their relations towards the people as to call for the creation of any tribunal such as that now proposed to be established. It must be remembered that just in proportion as greater facilities for interference were given by easier and cheaper machinery was encouragement held out to the public to interfere with the management of the great Railway Companies in a manner they had not hitherto been able to do. Hitherto there had been only two parties in the business. The complainant, the public on one side; and the defendant, the Railway Companies who were a portion of the public, on the other side. But when this Bill passed there would be a third party. The Government were assuming a serious position. The complainant would in future make his complaint through a Government agency. That was not the usual arrangement in this country. We had always been shy of bureaucratic arrangements, and therefore he thought the principle of the Bill was one which, in accordance with our usages, Englishmen should regard with some jealousy: and he trusted that this Bill would not be made a precedent for similar interference between the general public and the great commercial enterprises of the country. He did not think, however, that any very great harm or any great good would be done by this Bill. Great powers would be given to the Commissioners. A Court of Law consisting of one lawyer and two assessors would have very extensive powers of interference with a great commercial interest; but if any Railway Company should think fit to set itself against an order made by the Commissioners, he thought it would be very difficult for the latter to force that Company to conform to their order. As the Bill had passed the other House and was likely to pass their Lordships' House, he would not offer any further opposition to the second reading than the expression to which he had already given utterance; but he could not help feeling that the Commissioners would have a work of such great difficulty to perform that the greatest prudence ought to be exercised in selecting men for the office. He begged to add that he did not think there was any objection to the names which had been mentioned in connection with appointments to the office. The Bill had undergone considerable change in the other House. Several portions of it, as it now stood, had emanated from independent Members, and not from Her Majesty's Government. He believed he was humbly enunciating the sentiment of the great Railway Companies of the country when he said that the President of the Board of Trade had heard their representations with great attention and had considerably modified some of the provisions of the Bill in order to meet their objections. He must say that he thought the 12th clause was so objectionable that it ought to be struck out altogether. He hoped the Bill would prove useful, but he feared that its effect would be to induce persons to make useless and unfounded complaints against the management of the great Railway Companies, and thus cause them considerable trouble.

LORD REDESDALE said, he quite agreed as to the extreme importance of this measure; but he could not concur with his noble Friend (Lord Houghton) in regarding the tribunal now to be constituted as a Court of Law with one lawyer—he regarded it less as a Court of Law than a Court of Arbitration to determine certain matters of administration, and decide how certain arrangements could be best carried out. Under these circumstances, nothing was of more importance than the selection of the Commissioners. He did not wish to make any comment on the names of those gentlemen who were proposed for the appointment, further than to say this—that one of them—the one appointed for his experience in railway business was, he thought, more deeply committed to party matters in the railway world than was altogether desirable. There was every reason to hope he would act fairly; but at the same time the appointment was one that would hardly be regarded as affording a fair expectation of entire impartiality. It ought to be stipulated that a member of the Commission should have no connection with any railway concern—but it was not so provided by the Bill. No Commissioner ought to hold a single railway security, or else there would be charges made against them which would be injurious to them in the execution of their duty. Fancy what might be said if, after a decision in case of a dispute, it turned out that one or two of the Commissioners held shares that would be benefited by that decision. Charges would be made against them —unjustly it might be—but still such charges would damage their character. There ought, therefore, to be a positive enactment that no Commissioner should hold railway securities of any kind. This would be the only way of saving them from imputation. A Railway Commission which existed years ago became utterly useless and died in consequence—and there was no use in having a Commission unless it was to be efficient. He regretted that the question of amalgamation was to be gone into before this Bill was passed, and before it had come into actual operation. The Bill ought to have been passed first, because the larger the Companies were the more difficult would it be to work this measure. Attendance upon the Joint Committee of last year had changed his opinion and made him more adverse to amalgamation. Take the proposal now before Parliament—the amalgamation of the London and North Western with the Lancashire and Yorkshire. The latter ran east and west, and crossed, as it were, the three great lines running north and south—the London and North Western, the Midland, and the Great Northern; and the effect of amalgamation would be to give the London and North Western the north and south traffic now divided among the three lines. This would be a worse arrangement for the people than the present, and it would, if the Companies were not amalgamated, be the work of the Commissioners to control the traffic in the interest of the public. The general result of amalgamation, he now believed, would be to impede rather than improve communication both for passengers and goods. Under Clause 8, which related to differences between Canal and Railway Companies, it appeared that arbitration must be applied for by both parties, and that it could not be resorted to if one of them objected. As to Clause 12, he believed that if the public was to be served, public bodies ought to be allowed to take up matters of public interest; particularly when, as in this case, it was not to be a matter of fancy, but there was to be an actual charge of contravening the law. If a complainant was always to be aggrieved, argument upon the point and upon the extent of the grievance would be endless. He hoped the Joint Committee on Amalgamation would consider what would be the effect of the Bill supposing it answered the expectations of its promoters. The Bill ought to accomplish all that was required by amalgamation. The object of that was that by inter-communication between the Companies better service should be rendered to the public. If the Bill was worth anything, it ought to reach the Companies that did not serve the public properly, and compel them to afford the facilities they would afford if they were amalgamated. If the Commissioners did not insure the granting of proper facilities and the carrying out of the intentions with which Parliament had granted compulsory powers to the Companies, the Commissioners would be of little use, and their functions would cease as those of former Commissions had done. He hoped nothing would be done to weaken the small powers given to the Commissioners under this Bill; and, indeed, he should be inclined to extend them rather than leave them as they were.

The Earl of DUCIE said, his noble Friend who had just sat down had remarked that one of the Commissioners might, perhaps, be unsuited to consider matters that might come before him impartially, because he was deeply committed to a certain course of policy. Now, he (the Earl of Ducie) could not help rising at once to say that it had been his privilege to be acquainted with that hon. Gentleman, the late Member for Gloucester (Mr. W. P. Price) for many years, and he could testify that he was a man of the greatest ability, and utmost probity, and one who would perform his duties with that strict impartiality which so happily distinguished public men in this country in discharge of judicial functions. It was not to be supposed that Mr. Price would be biassed in his duties as a Railway Commissioner by the circumstance of his happening to hold railway securities.

Lord REDESDALE had no doubt Mr. Price would do so; what he said was the simple fact that this gentleman occupied such a position that numbers of persons would think he could not be an impartial Judge.

The Marquess of RIPON, in reply, thanked their Lordships for the reception of the measure, and explained, in reference to arbitration, that the most important cases were likely to arise under Clause 7, and that Clause 8 was an enabling clause to meet other cases. It was in the power of the Commissioners to decide what was and what was not a point of law as distinct from a question of fact; and there would be the option of an appeal in every case in which they were not unanimous. He did not see in this Bill any reason for delaying the consideration of the amalgamation question.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

MARRIAGES (IRELAND) LEGALIZATION BILL [H.L.]

A Bill for legalizing Marriages solemnized in Ireland—Was *presented* by The Lord Somerhill; read 1ª. (No. 94.)

House adjourned at half-past Six o'clock to Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 6th May, 1873.

MINUTES.]—Select Committee—Locomotive Engines on Roads, *nominated.*

Public Bills—*Second Reading*—Ancient Monuments* [5].

Report—Metropolitan Commons Supplemental* [27-153].

POST OFFICE — TELEGRAPH DEPARTMENT—CARMARTHEN DISTRICT.

QUESTION.

Mr. JONES asked the Postmaster General, If he can hold out any hope that the upper portion of the county of Carmarthen, comprising a district of between thirty and forty thousand inhabitants, will soon have the benefit of the postal telegraphic system; and, if he can explain the cause of the delay in completing such communication, inasmuch as the wires connecting the various Post Offices with the Railway stations have been erected for a period of eighteen months, and have remained ever since in an useless and unproductive state?

Mr. MONSELL in reply, said, that the opening of the postal telegraph offices of Llandilo, Llangadoch, and Llandovery, upon the Llanelly line of railway, had been delayed by the objection of the Railway Company to allow the wires which had been erected to be brought into use until the agreement with the Department had been formally executed. That agreement would now very shortly be in force, and the postal telegraph offices would at once be opened.

POST OFFICE — FINANCIAL IRREGULARITIES.—QUESTION.

Mr. SEELY asked Mr. Chancellor of the Exchequer, Whether the Committee appointed by the Treasury to inquire into certain financial irregularities disclosed by the First Report of the Committee on Public Accounts have yet made their Report to the Treasury?

The CHANCELLOR of the EXCHEQUER: No, Sir. The Report of that Committee has not yet been received; but we shall have it very soon, and I beg to assure the hon. Gentleman that no time will be lost in laying it before the Committee of Public Accounts.

POST OFFICE — TELEGRAPH DEPARTMENT—CAPITAL EXPENDITURE.

QUESTION.

Mr. SEELY asked the Postmaster General, Whether a complete Account of the Capital Expenditure on Telegraphs from the date of their acquisition by the Government has been laid before the Treasury, in accordance with a statement made by Mr. Scudamore on the 5th March last before the Committee of Public Accounts, that

> "The Account of the Capital Expenditure is now made up to the 30th November last; the Account for December and January is in active preparation; and I can undertake to promise that, before the end of April, a complete Account, with full explanations of everything that has been done with regard to capital outlay, shall be in the hands of the Treasury?"

Mr. MONSELL: Sir, the account up to the 31st December was rendered to the Treasury on the 29th March. The capital account, so far as construction is concerned, was closed on the 31st March, and the account from January 1 to March 31 will be ready in about five weeks from this time.

ARMY—QUEEN'S AND INDIAN ARMIES.

QUESTION.

COLONEL BARTTELOT asked the Secretary of State for War, Whether any steps are being taken to relieve those Colonels of the Queen's Army who have been superseded by Colonels of the Indian Army; and, whether any steps are being taken for preventing in the future such supersession?

MR. CARDWELL: Sir, the rank of Major General in the Indian Army for the officers promoted since May 3, 1870, is local only, until the British colonels senior to them have been promoted. As each British colonel is promoted to Major General his commission is ante-dated so as to place him as General in the position he occupied as colonel. In 1870 a Committee of the House of Commons considered, but did not recommend, a proposal for increasing the establishment of British General Officers. They recommended that an amalgamated list of colonels should be at once formed from the British, the Staff Corps, and the Indian local lists, from which promotion should be made to Major General, according to seniority as colonel; but this recommendation was considered by a Royal Commission, of which Lord Cairns was Chairman, to be at variance with the guarantee given by Parliament to the Indian officers, and was, therefore, not adopted. At present the operation of the Royal Warrant of June 15, 1864, is to give for a time to British colonels all the promotion of the colonels of the Indian Staff Corps.

ARMY—THE 95TH REGIMENT.

QUESTION.

LORD EUSTACE CECIL asked the Secretary of State for War, Whether he has any objection to state the date and purport of the Treasury Regulations under which it is understood that the promotion of the subalterns of the 95th Regiment has been retarded, contrary to the usual rule adopted in other regiments, by the absorption of the third vacancy caused by Captains originally placed on the supernumerary list on the return of the regiment from India?

MR. CARDWELL: The promotion, Sir, of the subalterns of the 95th Regiment has not been retarded, contrary to the usual rule adopted in other regiments, inasmuch as what is called in the Question the third vacancy was in reality the first. The so-called first vacancy was rendered null by the return of the officer who had joined the Indian Staff Corps on probation, giving at the time a step which his return absorbed; and the second was that of a captain who went on temporary half-pay, absorbing a supernumerary, under the Royal Warrant of February 24, 1873.

THE FIJI ISLANDS.—QUESTION.

ADMIRAL ERSKINE asked the Under Secretary of State for Foreign Affairs, If he will lay upon the Table of the House Copy of any Correspondence which may have taken place between Mr. Consul March and the Foreign Office from the 1st day of January 1872, up to the time of his leaving the Fiji's, with reference to the state of affairs in those islands?

VISCOUNT ENFIELD: Sir, the Correspondence between Mr. Consul March and the Foreign Office is more or less of a confidential character, and in the present position of affairs in the Fiji Islands I feel I could not undertake to make that Correspondence public.

AFRICA—WEST COAST SETTLEMENTS —THE ASHANTEE INVASION.

QUESTION.

SIR CHARLES ADDERLEY asked the Under Secretary of State for the Colonies, What has been the cause of provocation leading to the Ashantee incursion on the Gold Coast, and whether it appears capable of removal; whether this Country is engaged in the way of protectorate on that Coast, not only to aid the Fantee tribes in their own defence, but in disputing the access of the interior powers to the sea for commerce; whether the protectorate has been extended to the territories adjoining the forts newly acquired from the Dutch; whether we are actually implicated in a third Ashantee War on behalf of the neighbouring tribes by naval and military interference and supplies; and, if so, at whose expense; and, whether the King of Elmina is now a prisoner for refusing the oath of allegiance to the Queen, in reversal of the policy accepted by this House in 1865?

MR. KNATCHBULL-HUGESSEN: It is not easy, Sir, to state what has been the cause of provocation leading to the Ashantee invasion. It is reported to be connected with the transfer of Elmina from the Dutch to the British flag; but it happened at a time when we were engaged in friendly negotiations with Ashantee Envoys, who profess their ignorance of the cause. So far from disputing the access of the interior tribes to the sea for commerce, we desire to facilitate trade in every way, and have given particular assurances to the Ashantees to this effect. We exercise the same protectorate as the Dutch over the territories adjoining the ceded forts. We are assisting the tribes of the protectorate against this invasion, and the expense of arms and ammunition supplied to them, and of the Houssa Police, will be borne by Colonial Revenues. The King of Elmina is now a prisoner under suspicion of treasonable practices. The oath of allegiance was tendered to him as a test of loyalty, which he refused, and I know of no policy accepted by this House which has been reversed by this proceeding.

PARLIAMENT—DISTRIBUTION OF ELECTORAL POWER.

RESOLUTION.

SIR CHARLES W. DILKE, in rising to move—

> "That, in the opinion of this House, it is desirable to redress the inequalities of the distribution of Electoral power in England and Scotland as well as in Ireland,"

said: Mr. Speaker—My first duty is to express to the House my sense of the disparity which exists between the magnitude of the subject to be raised tonight, and the humble position which I who move the Resolution occupy among the Members of this House. It is, however, a topic with which the constituencies are in a peculiar degree concerned, and the consideration, which as an individual I could not claim, will not be denied by the House to the electoral body that I have the honour to represent. Forced to touch for a moment upon the theory of representation, as gathered from our history, I will not weary the patience of the House by dealing with it at length. Briefly, I may state the matter thus:—In the earliest Parliament in which the Commons were represented, their Deputies seem to have been summoned only to express the consent of the people to taxation. The origin of the modern Parliament is to be found in the necessities of the Crown. There was in early days no general representation of popular opinion, but the desire was to find men who by their consent could bind their fellow-townsmen to new taxes. All towns that were held worthy of having their consent asked, were asked in equal degree; all places sent the same number of Members—that is, two. In the reign of Edward I., "two or three" was the phrase often made use of in the Writs, showing that no importance was attached to the number of representatives of a constituency in this House. Indeed, while "two or three" were summoned it was entirely sufficient if one came. It is even known to Members whose researches have led them to the early history of English Parliaments, that the practice of sending a second Member was based upon the notion that when one Member was detained by sickness, or by the then terrible hardships of the journey up to London, the other should be present to express the opinion of the town. As late as the 22nd year of Edward III., all towns sent two burgesses alike, and the first time that we hear of some places having more Members than others was when the Cinque Ports—their inhabitants being zealous partizans of a particular opinion—were directed to send four Members each. In this brief history we find the key to all the difficulties by which the subject is embarrassed now. We have tried to put new wine into old bottles—with the usual success. While, little by little, the idea of general representation has been growing up, by the gradual assertion of the principle of redress of grievances before taxation, the House of Commons has still continued to be, in the strict theory of the law, representative of places, not of persons. No one, however, who gives his attention to this subject can fail to see that, whatever may be our view in here, the outside public, the newspaper writers, the voters—in short, all who are not strangled with a hempen rope of precedent—have come to speak of the House of Commons as a great national Assembly where opinions—if they be worthy of representation at all—ought to be represented as near as may be in proportion to their prevalence in the country at large. All now admit that not the majority of communities but the majority of voices should bear rule; and the measures of 1832, of 1867, and of 1868, have by the disfranchisement of small places, and the increase of the representation of large ones in a ratio based on population, wholly upset the old theory of representation. It is now admitted on both sides of the House that it would be monstrous that a small minority of the voters should impose their will upon a large majority in national affairs of moment. But I think it can be shown that although this position may be taken as admitted, it is far from having as yet received expression in our law, and that a minority may still rule a majority of the voters of England, through the over-representation of decayed communities, and the under-representation of the most prosperous portions of the land. There are 100 Members of the present House who were elected by communities which contained in 1868 about 80,000 voters. Their constituencies are dwindling away —growing "small by degrees and beautifully less." There are another 100 of us who sit for communities who then had not 80,000, but 1,080,000 voters. 80 of us now have in our boroughs and counties 1,040,000 electors, while 124 Members at the other end of the scale have but 104,000 electors, or one-tenth as many. Half the Members of the House represent less than 500,000 voters, and the other half of us represent considerably more than 2,000,000 voters. One Gentleman sitting opposite polled 18,702 votes, and one Gentleman also sitting opposite polled 64 votes. There are now 12 Members of the House sitting for boroughs which contain more than 50,000 voters each. There are another 12 sitting for constituencies containing less than 336 voters each, of whom 6 sit for constituencies with less than 257 voters each. 1,600 voters in the small Irish boroughs have 7 Members; 16,000 voters in a single Irish county have but two Members; and 25,000 voters in the great county of Middlesex have only the same number. I said just now that the small constituencies were dwindling away. Why, taking English boroughs alone, and comparing the figures of 1868 and those of 1873, we find that Evesham, which was a constituency of 750, is now a constituency of 721; Tavistock, which had 857 electors, now has 810; Midhurst, which had 995, now has 979; Ripon, which had 1,132, now has 991; Tewkesbury, which had 745, now has 676; and Marlborough has fallen from 616 to 598. Woodstock, Warwick, Flint, Eye, Wenlock, Cockermouth, Berwick, and many others also, show a falling off; as do Whitehaven and Droitwich, indeed, although the hon. Member for the former (Mr. Cavendish Bentinck), and the right hon. Member for the latter (Sir John Pakington), show no falling off at all. The big boroughs are growing fast, while the small ones are declining. For instance, my mention of Warwick reminds me that while it has two Members for its 1,600 voters, and is declining in number of electors, Birmingham hard by has only three Members for 54,000 electors, and has increased by 11,002 voters since 1868—that is, has an increment greater than the entire constituencies of five-sixths of the Members of the House. In old times there was a self-acting machinery for the cure of these strange anomalies—namely, the issue of Orders in Council, a return to which practice was, I think, proposed in the first draft of the Whig Reform Bill of 1832. Moreover, the increase of trade in the present century, and the rapid movement of population from one part of the country to another which railroads have brought about, have made the anomalies more apparent now, as well as greater, than they ever were before. I am far from sharing the view of those who say that there is any sort of understanding that these questions should not be re-opened for a time. As for the redistribution of Irish seats, the Government have promised to deal with that "in a complete manner" next year. On the 10th of February the noble Lord the Chief Secretary for Ireland said—

> "The Government are of opinion that a measure dealing with the redistribution of seats in Ireland is required, and I hope it may be possible for the present Parliament to consider such a measure before its dissolution . . . . and we think that if the thing is done at all, it should be done in a complete manner."—[3 *Hansard*, ccxiv. 195.]

Yes, but I think that I have shown that such a measure is needed in England, too, and that is what my Motion says. It was speaking, not of Ireland, but of some of the small English boroughs saved in 1868 that the present Premier, on the 8th of June of that year, said, that "the odds were 100 to 1 that they would not take part in more than one General Election."—[3 *Hansard*, cxcii. 1248]. Which means that the odds are 100 to 1 in favour of the redistribution of seats being successfully undertaken next year—not with regard to Ireland alone, but for England and Scotland too. It is surely impossible to justify the continued existence of boroughs with between 200 and 300 voters a-piece. The old contention that these tiny towns open our doors to men who could not otherwise find their way into the House has been given up. The Prime Minister used to be a staunch supporter of small boroughs, but in the last speech which he made about them he used these words—

> "I am bound to say that, having particularly watched the working of our small boroughs during the last two General Elections, I do not think that the small boroughs now possess the advantage in the degree they did at one time, or, indeed, in any degree beyond other classes of constituencies."

If this be so—if they have no advantage—they surely have disadvantages enough to ensure their condemnation. Without using strong language, we may take it as admitted that there is more temptation to bribe and intimidate in small boroughs than in large, because each voter, however poor, however weak, tells more and has more political influence than has any voter in a large constituency. Those who maintain small boroughs say that political power should be given, not to numbers, but to property and intelligence, while the only effect of their acts and words is to leave the representation of the people in the hands of the paupered and ignorant inhabitants of decaying towns. On the other hand, look at the large cities and the larger counties. Can anyone say that the county of Lancaster and the county of York are sufficiently represented in this House, or that the City of Edinburgh and the City of Bristol, for instance, make their weight felt in the government of the country in a due proportion to their wealth and size? Can anyone contend that the county of Middlesex, with its 25,000 electors—increasing fast—with their intelligence and wealth as well as number, is entitled only to the same weight in our counsels as Portarlington and Kinsale, with 300 voters between them? I do not even speak of such towns as Croydon, which still go wholly without any special representation here. There has, indeed, for some years past been a general disposition to regard redistribution of seats as a matter not urgently needing action. It seems to have been thought upon both sides that if the Liberal party had a majority at the last Election under the present system, it could not have had more than a majority, or less than a majority, under any other; and it has been argued that when a party in a majority among the voters came to be in a permanent minority in the House it would be time enough to raise the question of redistribution. In other words, it is supposed that, parties being more or less nearly equally divided throughout the country, it does not much matter if the voters in big places are under-represented, and the voters in small places over-represented, because if we were to adopt an electoral system based on population, the two sides of the House of Commons would not of necessity undergo any considerable change. But this may be true, and is true, without its following, as a matter of course, that there are not practical inconveniences in the present state of things, and practical necessities for a change. The view which I have stated assumes that the voters belong to the one party or to the other party, and nothing more; that the one party have certain views, and that the other party have opposite views, and that all that is important is that the party that is in a majority among the voters should be in a majority among the Members. But there are the greatest differences upon both sides of the House—differences of opinion among Members of the same party upon most subjects, and clearly marked party lines only upon a few. Will anybody maintain, for instance, that the hon. Member for Westminster (Mr. W. H. Smith), and the hon. Member for Whitehaven (Mr. Cavendish Bentinck), or the hon. and learned Member for Dungarvan (Mr. Matthews), and the hon. Member for North Warwickshire (Mr. Newdegate), or the hon. Member for Belfast (Mr. W. Johnston), and the hon. Member for Boston (Mr. Collins)—who believes in nothing but the Athanasian Creed—represent absolutely identical views? I will not point to the still more flagrant cases of difference upon this side. The truth of these considerations may be seen if we take as an instance either the opinions of the large counties on taxation questions, or the opinions, upon many subjects, of the great towns. If we look to the latter we find, for example, that many Lancashire Conservatives are Conservative upon Church matters, and upon little else. A large number of Liberals, again, differ from the Liberal Government upon most questions. Above all, we can show that divisions continually take place upon subjects which those who are immediately interested in them consider of importance, in which the majority in the House of Commons does not represent the opinion of a majority, but the opinion of a minority of the Commons of England. Surely if this be so, then clearly it must follow that redistribution is a matter of practical and of pressing importance. Yet, Sir, many such instances might be found in the divisions of any Session of any Parliament that has sat. Let us take but a single one from our deliberations of last year—that afforded to us by the Birmingham Sewage Bill. 147 Members voted in favour of that Bill, and 150 Members voted the other way. Now, there are many modes by which we may test the amount of the voting power which each Member ought to be considered to express. We may take the number of his constituents at the time of the division; we may take the number of his constituents, if he has no Colleague, half that number if he has one, a third of that number if there are three Members, and a fourth of the number if he sits for the City of London. Another mode would be to give to each Member the number of electors who voted for him at the last Election, or a proportion of that number upon the second plan. But, Sir, whichever of these four modes we may adopt, and of whatever year we may take the statistics, the minority of 147 will be found to outweigh the majority of 150. On the first plan, and on the statistics of 1872, the 147 represented 1,455,000 voters, and the 150 represented 1,063,000 only, so that the minority outnumbered the majority by nearly 400,000 electors. On each of the other plans it will be found that the minority represented or were voted for by a majority of from 200,000 to 400,000 electors. In short, on every system that can be devised, we find that if the opinions of the Representatives of the majority of the people are to be consulted, the minority should have been the majority, and the majority the minority in that division. I venture, Sir, to think that, for many years now past, we should have been justified in the assertion that the representation of the opinion of voters, and not of that of places is the true theory of the Constitution, and that divisions in which the majority here represents the minority of the voters are a scandal to which an end should properly be put. If that be so, we can only be confirmed and strengthened in that opinion, when by his appeal to the highest Courts in support of his claim to vote in the election of Members to this House, we see Lord Salisbury himself take the most democratic step that has been taken by any man of note in modern times, and virtually admit that the House of Commons now represents not the Commons only, but the entire people. There is but one difficulty, so far as I can see, which stands in the way of the adoption of a sweeping reform of our electoral machinery—I mean the representation of the Universities. It is true that the Universities send distinguished Members to this House, but those Members most certainly are men who would be able to find seats elsewhere. It could not be maintained for a moment that the right hon. Member for the University of Oxford (Mr. G. Hardy), or my hon. Friend the Member for the University of St. Andrews (Dr. Lyon Playfair), or their Colleagues in the representation of the Universities, would not be able to find constituencies to return them; but, on the other hand, I cannot but confess that the representation of the Universities as such seems to me to be indefensible. The Masters of Arts and Laws, and the Doctors of Law and of Divinity who constitute the voting body of the Universities, are men who almost all of them have votes in University towns, or in the parts of the country where they dwell. I know not upon what principle it can be claimed that they should have special representation. If it is on the ground that science should be specially represented in the House of Commons, then the Royal Society would return far better Members for that purpose than even the Universities of Oxford and Cambridge, who send us politicians. If it is to improve the standard of the House of Commons that University Members are returned, then it is for us to consider whether such fancy means of doing so are not opposed to the whole principle of popular election. The men thus sent to the House belong to the very class which from its wealth, its education, its ability is the most represented of all classes in the country, and therefore not the most entitled, but the least entitled, if any difference is to be made, to exceptional treatment, or special representation here. Looking, indeed, to the importance of giving to all men a hearing in this House, a certain case, though not a conclusive or even a strong case, might be made for the special representation of some orders. It is, for instance, hard to foresee—it is impossible to foretell — when agricultural labourers will succeed in returning any Members to this House. On the other hand, it may be shown that their interests are more directly affected by legislation than are those of any other class, and that they are the most numerous single body of men engaged in one employment in the whole land. Here is a case for special representation, and one which can only be met by a stern resort to general principles. But, at all events, it is a very much stronger case than any which can possibly be made for the special representation of the clerical gentlemen, who for political purposes control the older English Universities. It is not the duty of those who call attention to the existence of these anomalies to point out at the same time, and before they have secured the universal acceptance of their general propositions, the character of the remedies by which redress could be obtained. We cannot be asked to decide upon the manner in which this question should be settled before it has first of all been decided that it shall be settled. The decision rests not here with us, but with you upon those benches. The great constituencies will not long permit the neutralization of their Members' votes by those of Gentlemen who sit for decaying towns; but the Conservative party has power, if so minded, to defeat any of the first attempts that may be made to substitute a better state of things. On the other hand, when the Conservative party has been brought to see that reform has become unavoidable, that party can cause whichever plan it may support to be that one which will ultimately prevail. Those who are raising this question are not supporters of a one-sided agitation that would neglect the counties, while it pressed only the claims of the great towns. But Conservatives will have only themselves to thank, if by resistance to the principle of the reform they should cause that reform, postponed for a few years, ultimately to take a shape hostile to themselves. The machinery by which the change when decided on should be carried out, is a secondary question as compared with the necessity of the change itself. The present state of our representative system is a menace to the peace of the country. Look at the justification it affords to the persons who are in the habit of assembling tumultuously in the Parks to denounce this House. All that we contend is that it ought to be our aim, especially in these days of paternal legislation, to obtain the maximum of popular consent to every measure, on the ground that the majority of the whole community is the best judge of the interest of the community at large. All we ask is that security should be given that the majority in the House of Commons shall represent the opinion of the majority of the electors. The hon. Gentleman concluded by moving the Resolution.

MR. ANDERSON, in seconding the Motion, said, that very little had been left for him to urge in support of it. He contended that a change in our representation was very urgently required. It had been promised with regard to Ireland next year; but all the three countries ought to be treated as one, and one great measure ought to be applied to the whole. If a measure of reform was to be applied to Ireland only, it meant of necessity that Ireland was to retain exactly the same number of Members as it now returned, and that the other countries were to be treated in detail. Was Scotland to retain the same number of Members that she had now? Why, Scotland already complained that she had not nearly enough Members. He did not know how far he should be able to show that that was the case; but he should try to do so. A Return had been laid before the House on the Motion of the hon. Member for Edinburgh (Mr. M'Laren), in which a comparison was made between the number of representatives and the population and taxation of the three countries. It was shown that, according to population, England ought to have 470 Members, instead of 490; Scotland ought to have 70, instead of 60; and Ireland 112 instead of 105. On the other hand, according to taxation, England would have 514 Members, Scotland 79, and Ireland 65. If, however, a mean were taken between the two, England would be entitled to 494 Members, Scotland to 75, and Ireland to 89. It therefore followed that if Ireland was dealt with on the basis of retaining her present number of Members, that would be unjust to the other countries, and that there was very flagrant injustice in the present system had been very abundantly proved. The hon. Baronet (Sir Charles Dilke) had brought forward some figures and he (Mr. Anderson) should bring forward some others. He found that there were in this House eight Members who represented constituencies having an aggregate of 1,800 electors, but there were eight other Members who represented constituencies having 146,000 electors; therefore, the 1,800 electors in the one case had exactly the same political power as the 146,000 in the other. He found that there were 14 Members who represented 3,800 electors; but there were 14 others who represented 239,000. He found that in England there were 57 Members representing constituencies of less than 1,000 electors. Ireland had 28 such constituencies, but Scotland had only 3. England returned 14 Members to represent constituencies of less than 700 electors; Ireland had 23; but Scotland only 1. Eight Irish Members represented less than 300 electors, and 2 of them less than 200. When they came to consider the matter of power in an election the contrast was equally remarkable. In the little borough of Portarlington 70 voters were enough to return a Member to this House; but in such large constituencies as Glasgow, Liverpool, and Hackney, it required 18,000 or 19,000 votes to secure a seat. There could be no sort of comparison between such cases, and he was at a loss to know how any case could be made for the existence of such small boroughs. The only defence he had ever heard made for them was, that it was desirable to retain them for great statesmen who wished to be free from local work in order to devote their time to the consideration of great questions. But fact was contrary to theory, for they did not find as a rule, small boroughs returned great statesmen. He did not think he should be saying anything derogatory to Portarlington when he said that it had not yet returned a great statesman. There were many double constituencies very little better. Tiverton had two Members for 1,200 electors; Berwick had two for 1,300, and Weymouth two for 1,300. Against Truro, with two Members for 1,400 electors, he would place Aberdeen, with only one Member for 14,000. These small constituencies which now had double representation might very well be deprived of one Member; but he would go a great deal further, and say that he could not see any good argument for the existence of double and treble constituencies. He thought that every Member ought to have a constituency of his own, and every constituency ought to have but one Member. The present system of double and treble Members involved a great deal of injustice. For instance, a Member who was giving satisfaction to his constituents was obliged to fight for his seat just as if he were not giving satisfaction. Again, when one Member did not wish to sit again, his Colleague was obliged to fight if there was a contest, although that Colleague might be giving so much satisfaction that alone he would not be required to fight it. That was, he thought, a very strong argument for the abolition of double constituencies. The case of the treble ones was far worse. The system of giving two votes when three Members were returned was productive of nothing but confusion. If there were added to that the cumulative vote, as had been suggested by the hon. Member for Boston (Mr. Collins) it would make "confusion worse confounded." In the elections to the school boards in Scotland they had gained much experience as to the cumulative vote, and he thought that in hardly a case were the same men returned as would have been the case with single voting. The cumulative vote was simply a scheme for the stultification of majorities. He should not trouble the House at greater length, for he thought they had made out a very good case for the Resolution which he seconded.

Motion made, and Question proposed,

"That, in the opinion of this House, it is desirable to redress the inequalities of the distribution of Electoral power in England and Scotland as well as in Ireland."—(*Sir Charles Dilke.*)

MR. COLLINS moved, as an Amendment, to add the words—

"By the application of the cumulative vote or otherwise, so as to secure a better proportional representation of the people in the respective constituencies."

He thought that the House would look at this question in a very different light from one simply of arithmetic. The hon. Member opposite (Mr. Anderson) went into figures to show that Scotland ought to have more Members; but the question they had to discuss was this—in constituting a new House of Commons they had to consider how they could get a proper reflex of all the opinions in the country; and before they pulled the House about their ears they had to take care that the House, as reconstituted, would be as likely to give them a fair representation of the people as the existing system of representation. He contended that before they examined into the question of the redistribution of seats they ought to have some sort of knowledge upon what principle the reconstitution was to be. In England there were 75 county constituencies that returned two Members, and of these 59 returned two Gentlemen who sat upon the same side of the House, whilst only 16 returned Members who sat on different sides—Cornwall, for example, returning all Liberals, and Kent all Conservatives. Now, if they were to give an addition of Members proportioned to population, every one of these counties would have additional Members; so that unless they had the cumulative vote there would be an increase of the existing evil—that of a representation of a bare majority. In 1832, on Mr. Mackworth Praed proposing that in three-cornered constituencies each elector should have two votes, Lord Althorp assured him it was impossible to return in any county constituency two Members exclusively of one party; but that state of things had passed away, and at the General Elections in 1852 and 1859, when party feeling ran so high, of the 21 Members returned by the unicorn counties in England 20 sat upon the same side of the House, and at present only one county constituency in five was divided between the two parties; and if the principle of the present Motion were unqualified it would aggravate the evil. Adding a third Member to counties would only increase the injustice. If population were to be the basis, and if variety of representation were desired, there must be districts with three or five Members; and with the modern and scientific principle of cumulative voting, which had operated successfully in the English, and, he believed, in the Scotch school board elections, this would represent not the dominant majority, but the various elements in their approximately proper proportions. He had no sympathy whatever with Mr. Hare's plan of personal representation, seeing no reason why an elector in Westminster should vote for a candidate at Glasgow. Such a question and that of the cumulative vote should by no means get mixed up together. At the last General Election in the metropolis, if the theory of mere numbers was a right one—which he thought it was not—they should have had for the metropolis about the same number of Representatives as Scotland had. At that Election there were 22 Members returned for the whole metropolis, with its 275,000 electors; but of these, except for the University representation in the City, there was only one Gentleman who sat upon the Conservative side of the House, his hon. Friend (Mr. W. H. Smith). Even if the metropolis were divided into wards, as had been suggested, the result would be precisely the same; and no one would pretend to believe that the Conservative party in the metropolis was in the proportion of 1 to 22. Not the wildest Liberal fanatic would assert that. This evil as to the returns would not be remedied by merely giving an increase of Members to the metropolis, when they would be returned by a bare majority. They had so managed that with a party numbering one-third of the constituents of the metropolis they had only one twenty-second part of the representation. It might be said that the Conservative Members for certain counties and boroughs represented in some way the Conservative minority in the metropolis, and that was all very well so long as they left things alone; but it was now said that the representation should be placed upon a basis on which such an argument would no longer be available. In re-constituting constituencies they would have to go further than the consideration of mere numbers; and in an old country like this they should have some means of representing minorities. What he said of the metropolis applied equally to other parts of the kingdom—

for example, to Ulster or to Scotland—where a dominant party prevailed. Let them look at the representation of the county of Lancaster which, of course, according to his view, was in a most satisfactory condition. Everyone knew that in Lancashire there was a large and important Liberal element, and this was practically disfranchised. At the General Election there voted in Lancashire for the Conservatives 26,400 persons, whilst the Liberals polled 23,190; so that, considering the Members returned, it was only a majority of 3,000 that sent eight Members to the House, and the 23,000 sent none. He did not complain of this; but still it would aggravate the inequality if Lancashire returned 20 or 24 Members. There was a similar state of things in Kent. The hon. Members who sat on his side of the House were voted for by about 11,900 persons, whilst those on the opposite side had 10,800 votes; and the odd 1,000 really returned six Members. The Motion of his hon. Friend opposite would go far to augment this evil. He (Mr. Collins) did not wish to see that House filled with middle-aged merchants representing large towns, and broad-acred squires representing counties. What they wanted was a representation of persons, interests, prejudices, and all the various opinions in the country, and not a representation of mere numbers. Before they passed an abstract Resolution of this sort, they ought to have some sketch as to the form in which they would re-model the constituencies. This Motion simply was that our present system was defective; but he had himself shown the inequalities that prevailed, and he contended that it would be unjust if some means were not taken to give representation to minorities in such places as Lancashire and the metropolis.

Amendment proposed,

To add, at the end of the Question, the words "by the application of the cumulative vote or otherwise, so as to secure a better proportional representation of the people in the respective constituencies."—(*Mr. Collins.*)

Question proposed, "That those words be there added."

MR. GLADSTONE: Far be it from me to deny that there is great force in the speeches which were made by my hon. Friend who proposed and my hon. Friend who seconded this Motion, or to deny that there is much force also in many of the views urged by the hon. Member for Boston (Mr. Collins), whose speech, as far as it goes in relation to the particular illustrations he gave us in the cases of the metropolis, Lancashire, and Kent, is in harmony substantially with the speeches of the Mover and Seconder of the Motion; because the general upshot of his argument is to show that there is great force of reasoning in favour of a change in the present system of representation. For my own part, I am not able to support either the original Motion or the Amendment, for reasons which I will briefly state, without entering into the merits of the question. I wish first to observe that there is something peculiar in the wording of the Motion. We are called upon to vote—

"That, in the opinion of this House, it is desirable to redress the inequalities in the distribution of Electoral power in England and Scotland as well as in Ireland."

I do not know whether I interpret the intention with which these words have been drawn correctly; but I interpret the Motion to assume that we have already arrived at a determination to remedy electoral grievances in Ireland. My hon. Friend founded upon that assumed concession an inference that we should enter into the redress of similar inequalities in England and Scotland. I can only say that I am not aware of any announced determination of the House to apply at any given time a remedy for the inequalities of electoral power in Ireland, nor am I aware of any engagement given by Her Majesty's Government to submit the subject at any given time to the consideration of the House. It has been mentioned once or twice with regard to the proposal of the appropriation of certain vacant seats in Ireland, and I think my noble Friend the Chief Secretary for Ireland has gone so far as to express an opinion, in which I concur, that it would be advantageous at some early opportunity to consider the question of the redistribution of seats in Ireland, more extensively than the appropriation of the seats which are now vacant. So far it is easy to go; but I am not aware that anything has occurred to lead the House to assume that there is a fixed intention on the part of the Government to deal with the redistribution of seats in Ireland in a given time.

Is it desirable, then, that we should proceed to deal with the question of the redistribution of seats generally? or if we do not think it desirable, should we pass a Resolution affirming that it is desirable? It appears to me that both these questions should be answered in the negative. My hon. Friend himself has shown indisposition to go beyond the delivery of a speech. I take it that this Motion is one of that class of Motions which are intended to act on opinion out of doors, to make a contribution towards a gradual formation of public opinion on a great subject. I do not venture to censure those who think fit to adopt that mode of proceeding, or who think fit to make their place in Parliament the place in which they attempt to instruct and enlighten the country on these matters; but that certainly is the construction which I put on the Motion of my hon. Friend. If he means more than that, it is his duty to embody his intentions in a Bill, and to lay before us in clear and intelligible detail, not merely the defects which exist in the present system, but likewise the mode in which such defects are to be remedied. Let us recollect that this is, after all, a choice of many evils. I believe that of all the subjects that could be submitted to Parliament, there is no one that embraces a greater multitude of topics than the redistribution of seats. It appears to me that when next the question of redistribution is to be dealt with, it must be dealt with on a scale of considerable magnitude. Further than that I do not profess to see. It would hardly be possible to enumerate all the topics that enter into this subject, or the various modes that might be pursued in legislating upon it. The relations of town and county representation, the relations of town and county franchise, the question between single representation and plurality of representation, the mode of qualifying plurality of representation—all these are merely heads under which again the subject branches out into other heads; and therefore it is that I say when the question of redistribution is again touched it must be touched on a large scale. But there is one other proposition which I think may be laid down with considerable confidence, and that is that it is a question which it is idle for the House to approach, with any desire of attaining a practical end, unless it is approached at the commencement of a Session which it is able to devote to the work. The subject is one on which there is so much room for differences of opinion that it is only by a mere balance that the several points can be decided, and that balance cannot be ascertained except under circumstances favourable for introducing the question. I do not dispute that various abstract arguments can be advanced in support of the redistribution of seats; but I am at issue with my hon. Friend on the question of urgency. Is this a matter which it is urgent that Parliament should deal with at the present time? If it is, I can only say that all the other questions which we have now in hand, and which we contemplate dealing with before the close of the Session, had better be thrown overboard at once, in order that we may have something like a clear start to address ourselves to this question. It is not enough to show that there are great defects in the present distribution of seats. It is necessary to show that the public mind, the public opinion of the country, is in a state of expectancy and of preparation for dealing with this matter. I must confess that I have not seen any clear or manifest sign that the public entertain the opinion that this is a subject which has stronger claims on the House of Commons than many other matters with which we are or may be occupied. My hon. Friend, I am bound to say—however ingenious and able his statement has been, however telling in some striking descriptions of the defects now existing—has really given us no assistance with regard to the mode of change which is to be adopted when we come to consider the question of change. My hon. Friend referred to some declarations made by me to the effect that it was highly probable that this year or the coming year this subject would be dealt with. He professed to quote my words; but I certainly cannot exactly recognize any word used by me in the reference that he made. That a recurrence to the subject of the redistribution of seats is a probable event within a limited period of time I have thought and still think. So far as that I am prepared to go; but I am not aware that at any time I, for one, have indicated a particular period at which it would be the duty of Parliament to apply itself to the consideration of this subject; and I think it pretty plain that it is not in the present Session of Parliament that we can deal with it. This is a Parliament in the fifth year of its existence, and with plenty of arrear of work of urgent necessity to deal with during the remaining period of its constitutional life. I may say that I am not very sanguine in the expectation that it would be possible that this subject could be dealt with even if there were greater urgency in the demand for it than appears to me to be the case. I will not enter into any other question of reform of the representation of the people further than to say that it does appear to me that there are other matters connected with the representation of the people which have stronger and more urgent claims on the attention of Parliament than the question of the redistribution of seats. But I would really hope that my hon. Friend will not press the House to do that which of all things is objectionable—namely, to make a declaration that it is desirable to redress defects in the representation of the people, which is in the nature of a promise to do what we are not able to do at the time, and which we do not know when we shall be able to do. Nothing is to be gained, and much is to be lost, to the prestige and influence of Parliament by promises of that kind. Let us reserve all such promises until the time comes when we may be in a position to redeem them. If hon. Gentlemen think it expedient to the public interest that we should have from time to time discussions on this question without intending to proceed to a practical issue that is a matter on which it is not for me to give an opinion; but, for my own part, I feel the greatest objection to ask of Parliament anything in the nature of an abstract declaration of such a character. I think that whatever may be the personal opinion of my hon. Friends who moved and seconded the Motion, they cannot give to the Motion any other character than that of an abstract declaration without any promise or probability of early fulfilment; and on that account, without entering into the argument of the expediency of a change, I hope that the House will withhold its assent from the original Motion; and if it does, I do not suppose that the Mover of the Amendment will grieve very much if the words that he proposes to add are not agreed with.

MR. DIXON said, the right hon. Gentleman's principal objection to this Resolution was that it was an abstract Resolution, and he (Mr. Dixon) did not suppose that anyone would imagine that the carrying of this Resolution, if it should be carried, would be likely to be followed immediately by the introduction of a Bill. The object of any Resolution of this kind was to test the opinion of the House and to enable it to form some idea as to the opinions of the country. The Government could not bring in any great measure without having first ascertained what the opinion of this House and of the country might be upon the question with which they desired to deal. He would venture to say that in large constituencies which were inadequately represented, at the present moment there was a very considerable amount of feeling on this question. That feeling had already found its utterance in various parts of the country, and in his opinion the time had arrived when it was advisable to discuss the question more fully. What was it they had to go the country upon at the next General Election? They would have to go to the country upon something. There were, no doubt, many hon. Gentlemen in the House who represented constituencies of a very convenient character—which required very little expression of opinion, and cared very little about what opinion was expressed. That was not the case with those who represented the large counties and boroughs; they had to state what their opinions were on the questions which were already before the country, and also upon those which were likely soon to come before the country. He (Mr. Dixon) could not attend a meeting of his constituents without being asked his opinion on this subject, and whether he thought it likely that the question would be taken up by the Government. Would hon. Gentlemen prefer to take up the question of the disestablishment of the English Church? Would they prefer that they should take up the land question? These questions were the alternatives of this question of reform. The Government of the future would be bound by the very condition of their existence to consult the opinion of the people on this question, and take it up one way or the other. He would point out to the House that this question had been fully considered at Birmingham, and Birmingham had a right, through him, to state their grounds for the feeling that existed with regard to the great injustice thus done to such constituencies. He had ascertained that within a radius of 50 miles of Birmingham there were 15 boroughs which were in their constituent elements essentially different from Birmingham. They had no manufacturing or commercial elements in them. These 15 boroughs sent 20 representatives, and these representatives represented 150,000 inhabitants. Birmingham, with a population more than double that number, only sent to that House three Members. Did they believe for a moment that a large constituency like Birmingham could be satisfied with one-fifteenth of the political power of these small boroughs which were in the immediate neighbourhood of Birmingham? What was the difference in the circumstances of those boroughs that should give to them 15 times as much political power as Birmingham? Were they more wealthy? It was well known that in Birmingham the working classes had much higher wages, and the shopkeepers and others were in a more prosperous condition. Were they better educated in these small boroughs than they were in Birmingham? On the contrary, they had in Birmingham many elements of education which did not exist at all in these small boroughs. Birmingham had technical schools, and higher class education, of which the working men availed themselves. They had also free libraries and museums. They had a degree of self-government in large constituencies which did not exist to the same extent in small boroughs, and he would venture to say that, besides being better governed and more educated, they were, from the very necessity of the case, more intelligent. There was scarcely a question which was not discussed in a borough like Birmingham. They had meetings innumerable on all questions. [*Laughter.*] Hon. Members might laugh, but how were they to arrive at a knowledge of, and a conclusion upon, any question unless they were to discuss it, and listen to those who understood it? In a constitutional country like this it was the only way in which an intelligent and enlightened opinion could be arrived at. He was justified in saying that these constituencies must be more intelligent than those small places where they never held meetings. He had been told in some constituencies the Members did not think of going near them once a-year. He thought there was more than that. He thought these large constituencies were more independent, as well as more intelligent. He would venture to say that there was not a representative on either side of the House, of a large borough, who was not perfectly aware that it would be out of the question to think of bringing to bear a personal interest on the great mass of the voters. If he wished to do so, he could not. The way in which elections were carried on was by addressing the constituencies. In small boroughs it was far different. The influence which was brought to bear on the individual voter was a personal influence; it was the influence of the employer, the influence of the customer at the shop; it was the influence, it might be, of the landowner. They knew perfectly well that this direct personal influence was, unfortunately, greater in the smaller constituencies than in the large ones. The result was that in our large constituencies there was an amount of independence which did not exist in the small ones. If in those large constituencies the working men were richer, if they were more intelligent, if they were better educated, and if they were more independent, he would again ask on what grounds were they to be told that they were to rest satisfied, although these small constituencies had 15 times the amount of representation in this House than the large constituencies had? It was a question of simple justice. In a constitution self-governed like England each individual ought to have the same power as his neighbours. He knew that the right hon. Gentleman (Mr. Gladstone) would call that mere theory. At any rate, let the justice of it be acknowledged. Let them say that they would consider the question at the earliest possible date. That, at least, was what they had a right to expect from the House.

MR. ASSHETON said, he had examined the Papers which had reached hon. Members with reference to the numbers of electors in each borough. On turning first of all to his own constituency, Clitheroe, he found that the name was spelt wrongly, but that was of small importance. He next of all discovered that the number of electors was set down at 727. Now, as he himself polled more than that number, and as the gentleman who did him the honour to oppose him unfortunately polled nearly as many, he naturally came to the conclusion that the Return was inaccurate. He accordingly telegraphed to the town clerk, and had received a reply stating that the number of Parliamentary electors for the borough of Clitheroe was 1,727. By this it would be seen that in the Paper furnished to hon. Members the first figure was omitted, and as there might be other trifling omissions of this description, he would suggest that before they did anything in the matter, it would be advisable to obtain reliable Returns.

MR. BLENNERHASSETT*: Sir, when my hon. Friend the Member for Chelsea (Sir Charles Dilke) moved last year that

> "No measure dealing with the redistribution of Electoral Representation will be satisfactory to this House which does not extend to Scotland and Ireland, and which does not give an equal share of political power to all Electors,"

I supported his Motion, and I am now also prepared to support the converse proposition which he has submitted to the House—namely, "that it is desirable to redress the inequalities of the distribution of Electoral power in England and Scotland as well as in Ireland." The hon. Baronet has pointed out so clearly the necessity for reform in England, and my hon. Friend the Member for Glasgow (Mr. Anderson) has made out so strong a case on behalf of Scotland, that I shall entirely confine the few remarks which I trust the House will allow me to make to an examination of the state of the Irish representation. I shall endeavour to show that not only is the distribution of electoral power in Ireland unequal and anomalous as it is in England, but that Ireland has been left, if I may so speak, a stage behind in the progress of reform. I do not intend to trouble the House with many figures drawn from the statistics of Irish constituencies. One or two facts will be sufficient to show the existence of a state of things which is most unsatisfactory, I might almost say absurd. There are, in round numbers, 1,500,000 men of mature age in Ireland, and of these, according to a Return issued this morning, about 220,000 possess the Parliamentary franchise — 170,000 in counties, and the remaining 50,000 in boroughs. Of the total number of these Irish electors, 66,000, representing constituencies with an aggregate population of about 1,500,000, return 59 Members, leaving only 42 Members, exclusive of the representatives of Dublin University, to represent the remaining 157,000 electors, or constituencies with an aggregate population of nearly 4,000,000. That is to say, a considerable majority of the Members are returned by a comparatively small minority of the electors. It is evident, therefore, that in a division of this House a majority of the Irish Members may represent a minority of the Irish people. There are 28 constituencies, with an aggregate population of about 300,000, represented by 31 Members; while one great constituency, with a population of 400,000, has only two Members. In this way a population of 300,000 possesses 15½ times as much representation as the larger population of 400,000. When we inquire into the causes of this anomalous state of things, we find that it is mainly due to the enormous numerical disproportion between the small urban constituencies and the counties. There are, according to the Return to which I have already referred, 19 boroughs in Ireland of which the population is under 10,000, and of these five — namely, Kinsale, Mallow, Portarlington, Downpatrick, and Dungannon, have less than 5,000 inhabitants, and under 270 electors. It is evident that the electors in these little towns, or rather villages, have an entirely disproportional amount of political influence. The question at once suggests itself, why not disfranchise these small and comparatively unimportant towns, and transfer the seats to the great constituencies of such counties as Cork, Down, and Mayo? No doubt the separate political existence of such a place as Portarlington cannot be defended, and I have no intention of attempting to defend it; but there are, in my opinion, some very serious objections to a wholesale transfer of seats from boroughs to counties. I am inclined to believe that the most glaring anomalies in the Irish electoral system can best be removed, not by weakening the urban representation, but by reforming and widening it. This can be done by the application of principles which have already been applied to England and Scotland. In dealing with this portion of the subject, I am much indebted to the published letters of the hon. and learned Member for the City of Limerick (Mr. Butt), in which the state of the Irish urban representation is very fully examined. The first fact that strikes one in connection with this matter is the extremely small number of persons who possess the borough franchise in Ireland, in proportion to the population either of the whole country or of the cities and towns. The total number of city and borough electors is 50,000, and if from this number we subtract 28,000—the constituencies of Dublin and Belfast—there are only 22,000 votes left for all the remaining cities and towns of Ireland. In England there are 1,350,000 borough electors; and Scotland, with its small population, has over 180,000. This great difference is no doubt, to some extent, to be attributed to the fact that Ireland is an agricultural country, with an almost exclusively rural population, while this country abounds in great towns which are centres of manufacturing and commercial industry. It would, however, be an error to suppose that the extremely small number of Irish, as compared with English and Scotch borough voters is entirely due to this cause. This is clear from the fact that the disproportion is far greater between the aggregate number of electors than it is between the aggregate populations of the cities and towns of the three portions of the United Kingdom. One great cause of this disproportion is the fact that the popular franchise which prevails in the English and Scotch boroughs has never been extended to Ireland, and that the boundaries of Irish boroughs have not been altered and enlarged, or new electoral districts formed on the principles which were applied to England by the Reform Act of 1867. We can realize the significance of this fact when we remember that the provisions of this Act more than doubled the English borough constituency. Before the year 1867 the English borough electors did not amount to more than 500,000, now, as I said before, they are over 1,300,000. I am anxious to call the attention of the House to the useless and invidious distinction between the borough franchises of England and Ireland. In English and Scotch boroughs, as hon. Members are aware, the last Reform Bill admitted every rated occupier to the franchise, and as a remarkable achievement of Conservative policy, virtually established household suffrage. In Ireland, on the other hand, the Act of 1868 limited the borough franchise to occupiers rated at £4. This distinction lies so much at the root of the whole question, that I must venture to enter into it a little more fully. In English and Scotch boroughs every rated occupier is entitled to a vote, and the officer whose duty it is to make out the rate is obliged by law—no matter by whom the rate is paid—to find out the name of the actual occupier of every house, and to place it on the books. The English Reform Act specially provides that nothing is to be allowed to interfere with the proper registry of every occupier as a payer of rates, and consequently as an elector. Contrast this really liberal and popular franchise with that established in Ireland by the Act of 1868. By that Act the borough franchise is fixed at £4 rating, and as the letting value of most houses, especially those in towns, is considerably above the sums at which they are rated, I do not think I exaggerate when I say that all occupiers of houses let under £6 are absolutely excluded from the vote and deprived of that constitutional privilege which every Scotch and English borough householder enjoys. In addition to this, the Irish provisions as regards the rating of occupiers over the franchise limit are extremely defective. There are two ways by which we can roughly estimate the effect of the distinctions of which I have been speaking in excluding Irish borough householders from the suffrage; one is by comparing the number of inhabited houses with the number of registered electors in the Irish boroughs, and the other is by contrasting the number of electors in Irish boroughs with the number of electors in Scotch and English boroughs of about the same population. The total number of inhabited houses in Irish boroughs is over 120,000, and the total number of electors is only 50,000. Let us see the proportion in two or three cases. Armagh has 1,496 inhabited houses and 621 electors; Carlow has 1,383 houses and 317 electors, and Belfast 27,000 houses and 15,000 electors. Now let us compare the proportion of voters to the population in English, Scotch, and Irish towns respectively. I shall only name a few instances, not specially selected. Galway has a population of 19,000 and 1,400 electors. Boston with a population of 18,000 has 2,600 electors. Ayr, a population under 18,000 and 2,400 electors. Again, the City of Waterford with a population of 30,000 has a constituency of 1,300. Dover with a population of 28,500 has 3,500 electors. Perth with 25,000 inhabitants has 3,700 electors, and so on through the whole list. It only remains to ask on what grounds many thousands of Irish householders are thus excluded from the enjoyment of the political privileges which have been intrusted to the great body of English and Scotch householders? What sufficient reason is there why the occupier of a house should be excluded from the franchise because his house is situated in an Irish instead of a Scotch or English town? I believe the distinction is arbitrary and unreasonable, and one which ought to be removed. One effect of introducing household suffrage into Irish boroughs would be to admit a considerable number of working men within the pale of the Constitution, and I believe that the progress of education and enlightenment among that class would fully justify their admission. The Irish working man of the present day is very different from what he was 30 or 40 years ago. He has probably attended a good primary school; he is acquainted with the English language; he knows how to read and write; and he has begun to study the newspapers. His mind is active, and he is potential for good or evil. He finds himself, however, completely shut out from constitutional political influence; and remember this, the exclusion of the non-electors from any voice in public questions is far more complete now than it has been. It is only a short time since every elector was made feel, to some extent at least, that he held his vote in trust for others; he went openly to the polling booth under the observation and influence of those about him, and with that sense of responsibility to others, which always accompanies the public discharge of a public duty. All this has been changed. I am far, indeed, from approving of violence or intimidation; I know that deplorable excesses in this respect have sometimes taken place; but, still, it must be admitted that under the old system of open voting the non-electors were able to exert a certain legitimate influence which they no longer possess. I was one of those who voted in favour of the Ballot; but I did so on the principle of choosing the lesser of two evils. I had seen enough to convince me that, in Ireland at least, secrecy was absolutely necessary for the protection of the humbler class of voters from various kinds of undue influence. My argument simply is, that since the working classes have been deprived of the indirect but legitimate influence which they possessed before the Ballot—and this at a time when they are advancing in education and intelligence, and consequently in the capacity for comprehending public questions and discharging public duties—it is desirable to compensate them for this loss by admitting them to a greater degree of direct political power. I believe that I establish a strong case for immediate reform when I show that this can be accomplished by doing for Ireland what has been done for England and Scotland—namely, by assimilating the borough franchises, and thus abolishing a useless and invidious distinction between the different portions of the United Kingdom. I am perfectly certain that if the Irish working classes had more direct political power than they possess at present, more earnestness would be exhibited on their behalf by the Government, and some effort would have been made to meet the often-admitted necessity of introducing a measure dealing with their condition. Returning, however, to the question of Irish urban representation, we find that a considerable reform of its abuses could be effected by a just and equal application of the principles by which the English and Scotch boroughs were reformed in 1867 and 1868. The hon. and learned Member for Limerick has made a calculation by which he shows that if this course were adopted we might have in Ireland 31 towns returning 39 Members—that these towns would have an aggregate population exceeding 900,000, and an aggregate number of electors of more than 120,000. None of these towns would be in population below 5,000. All of them would have, on the lowest estimate, constituencies of more than 600, and in very few of them would the electors be less than 1,000. I do not pretend to say that this would be a thorough and complete removal of the inequalities of the Irish representation; but I do maintain that it would be a great improvement in the existing state of things; and I hold that it is a simple and moderate measure of reform, which, with the precedents of England and Scotland in view, there is no ground for refusing to extend to Ireland. I must protest against any proposal — and we have heard something from high quarters of such a proposal— to diminish the inequalities between the Irish constituencies by any scheme which would narrow the bounds of political privilege, and decrease the number of enfranchised persons in Ireland. This would be the direct result of a transference of seats from boroughs to counties. The county franchise is limited to £12 rating, while the borough franchise descends to £4. If therefore you were to throw borough into county constituencies—which is the meaning of a transference of seats—while the difference in the franchise remains unchanged, you would actually disfranchise altogether a large proportion of the present borough electors—all those whose rating does not come up to the county qualification, and you would transfer their political power to the existing body of county electors very slightly increased. This would be a retrograde step—a measure of disfranchisement directly opposed to the principle of extending the limits of political privilege as education and intelligence advance. In Ireland, at the present time, the basis of electoral power is unduly contrasted as compared with England and Scotland; for while a majority of English and Scotch Members are elected by household suffrage, only about one-third of the Irish Representatives are returned on the lower franchise, and even that is limited to £4 rating. You must not increase this disproportion by diminishing the number of Irish Members elected on the more popular franchise. I hope the House may be of opinion that I have shown some grounds for my statement that Ireland has been left a stage behind England and Scotland in the progress of electoral reform. No doubt, if the Irish urban constituencies were treated in the way I have indicated, there would still remain considerable inequality in the distribution of political power. I do not see how this inequality can be altogether removed without injury to popular right while the present distinction is maintained between the county and the borough franchises. Reform as you may, you cannot get great urban constituencies in Ireland for this simple reason—that there is no great urban population there. Whether, this being so, there is any sufficient ground for maintaining any distinction between county and borough Representatives — a distinction which does not altogether correspond to any real distinction in the character of the population—is a question into which I shall not enter. If this distinction were abolished, and an uniform franchise established, all irregularities and anomalies might be removed by dividing the county into electoral districts, and assigning a certain number of Members to each. This, however, is a question more of the future than of the present. I have simply desired to point out a moderate and practical measure of reform which Ireland is justly entitled to claim, and which, I believe, would tend to make her Parliamentary representation a more true and adequate reflection of the national mind.

SIR CHARLES W. DILKE, in reply, said, that not being responsible for the Returns he must leave the hon. Member for Clitheroe (Mr. Assheton) to deal with the Home Office as to the accuracy of the figures he had cited. With regard to the promise of the Government to deal with the redistribution of seats in Ireland, he remembered it well, because it was made on the 10th of February by the Chief Secretary, and gave rise to a general laugh, because the noble Lord said that while the Government were prepared to deal with the question in this Parliament they were not prepared to do so in this Session, thereby implying that the Parliament would not come to an end in the present year. He was opposed to the hon. Member for Boston's (Mr. Collins') Amendment, because it was like counting one's chickens before they were hatched, and he should prefer to divide the House on the original Resolution.

MR. COLLINS expressed his willingness to withdraw his Amendment, and said he was sorry the good example he set was not about to be followed by the hon. Baronet the Member for Chelsea.

Amendment, by leave, *withdrawn.*

Main Question put.

The House *divided*:—Ayes 77; Noes 268: Majority 191.

ARMY—HONORARY COLONELCIES.

RESOLUTION.

MR. TREVELYAN, in rising to move—

> "That, inasmuch as it would greatly conduce to the diminution of our Military expenditure and the improvement of our Military organisation, that our establishment of officers, in all ranks, should be founded upon the actual requirements of the public service, the House is of opinion that no further appointments should be made to the honorary Colonelcies of regiments,"

said, there was, perhaps, nothing more striking than a comparison between the discontent felt in the country about the amount of our military expenditure and the small effect which that discontent produced upon our proceedings in that House. Anyone who contrasted the size of the Estimates with the Division List of the minority that voted for their reduction might believe that the nation was satisfied that its money was well spent, or else that the House failed to represent the national sentiments. He believed that neither the one nor the other was the case, but that the real cause of the apparently small number of economists on these benches was that the Resolution on which they were called upon to vote often mixed up questions of policy with questions of administration, and even when it was more carefully drawn the debate generally took such a course as to give almost every one, whatever his opinions, a reason for voting against it. The object of his Resolution was to give hon. Gentlemen something definite to vote upon. It did not touch the question of foreign policy, or of the increase or diminution of the fighting strength of the country. It left alone altogether controversies about military organization, reserves, recruiting, and auxiliary forces. Taking our Army as it stood, since the reforms of the right hon. Gentleman, it asked the House whether the interests of the nation, financial and military, had been sufficiently consulted in the arrangements for officering and commanding it. He did not propose to indulge in any sensational statistics, which only led to controversy, and controversy, too, of rather a one-sided character. The last time he ventured upon that dangerous ground, by adding up how much a head it cost to officer each of our soldiers, his calculation was falsified by the very simple process of publishing a Return of the cost of our officers, in which the allowances for provisions, forage, servants, and lodging, besides other items, were omitted, which produced very much the same effect as those rhetoricians who gave the weekly money wages of our agricultural labourers, and took no account of his cottage and garden, his payment in kind, and his hay and harvest money. He should confine himself exclusively to statements which might be challenged separately and on the spot, and, after hearing those statements, he felt satisfied that many hon. Gentlemen who would refuse to support a Resolution for reducing the number of men would join in a protest against a state of things under which the tax-payer suffered, while the Army, so far from gaining, positively lost in efficiency. He would begin with our regimental officers; and examine whether, in the words of the Resolution, they were in accordance "with the actual requirements of the public service." It was at once manifest that no fair comparison could be made between the peace establishments of different arms of the service and different nations. In our own case he proposed to take our Indian establishment, for in India, in case of war breaking out, it was manifest that a regiment must be, as far as recruiting was concerned, on its war footing. In taking the number of officers, he proposed to exclude the honorary colonel, the paymaster, and quartermaster, and, in the case of the cavalry, the riding-master and the veterinary surgeon. Our cavalry, then, had 22 officers to 460 men, exclusive of the depôt troop, or a proportion of about 1 officer to 21 men. The proportion of officers in the four war squadrons of a Prussian regiment was 1 to 28. But it was not fair upon our Army to take this single case. In Russia, Austria, and Italy, the proportion was 1 to 24, and in France 1 to 17. The exigences of modern warfare, where cavalry charge less and scout more, require a large outfit of regimental officers to command detachments, and by comparison with the continental average our cavalry showed well, with the exception of the Household Brigade. It was almost ridiculous to talk of the war strength of a regiment which had never, in the lifetime of its oldest officer, been exposed to the dangers of an unhealthy climate, and which bore no name on its standards of a later date than Waterloo; and it was hardly creditable to our military administration that the most highly-paid of all our cavalry officers should be in a permanent proportion to their men of 1 to something over 18. With regard to what might be called the regimental officers of our Artillery—those who were attached to the batteries—the account was better still, for there we had 5 to a command of 150 men, or 1 in 30, which did not differ essentially from the Prussian. Why our artillery officers continued to do so much duty might be seen by anyone who examined the Return of leave granted to officers laid on the Table in 1871. He would discover that all our artillery officers quartered in England together obtained 13,571 days' leave, or 40 days a-piece, while the officers of our Household Brigade, commanding three weak regiments, got nearly 10,000 days' leave among them. That was to say, each officer in those regiments was absent from his regimental duties on the average 140 days in the year. It was not, therefore, surprising that it took five of them to do the work which was performed by three artillery officers. But it was a very different story when we came to the infantry. In this instance our practice was contrary to that of every other contemporary people. Prussia had 69 officers to a regiment of 3,097, or 1 to 45 men; France, 1 to 50; Russia, 1 to 40; Austria, 1 to 52; and Italy 1 to 38. Our infantry regiments on their Indian strength contained 885 non-commissioned officers and rank and file, and 30 officers, or a proportion of 1 to 29. On this point it was most important that we should not be misled by any talk of strong cadres, ready to receive our reserves in case of an emergency. When 885 men were distributed among eight companies, the cadres of an English regiment were at their fullest. Why did we require in this country 3 officers to do the work which was done in Prussia by 2? It could not be said that that was on account of the inefficiency either of our non-commissioned officers or of our officers themselves. It was difficult to understand, therefore, why we needed half as many again captains and subalterns as France and Prussia, except, perhaps, on the principle that we could not have too much of a good thing. We had at home and in the Colonies 98 battalions, or, including the West Indian regiments, exactly 100. At the rate of 10 officers to a battalion, that made 1,000 superfluous officers, which, at a very moderate computation of pay and allowances, amounted to £200,000 a-year. But this was only a small part. We must also take into consideration the battalions quartered in India, for, though their pay came from Indian funds, when they returned from India they were upon our hands as long as their lives lasted. So that we had 1,500 superfluous claimants for their share of half-pay, full-pay, retirement, and pensions, posthumous and during life, of every description, which this year amounted, for our commissioned officers alone, to the gigantic sum of £740,000 a-year. With these facts before him, he could not understand how his right hon. Friend the Secretary of State for War in October, 1871, appointed 20 young officers to the Brigade of Guards. There was no such great hurry to add to the officers of a corps in which, though the pay was higher, and should therefore be harder earned than in the infantry regiments, yet in the year preceding the appointment the officers of the seven battalions had, among them, enjoyed 23,648 days' leave, at the rate of three and a-half months for every officer. Among our own Marines, 320 officers commanded 13,500 men. If those admirable soldiers, instead of knocking about by sea and land from West Africa to Japan, were to be quartered between Dublin, Windsor, and the Birdcage Walk, they would require 520 highly paid officers to do the work which was now done by 320. He had gone through the weakest part of his case. When they came to the superior ranks of the Army, the case was entirely altered. Taking our Indian and English lists together, we had very considerably upwards of 2,000 colonels and lieutenant-colonels, all of whom were in some shape or another supported by the State, but a small proportion of whom were actually engaged in its service. Again, we had in the two armies upwards of 800 generals, who, like the colonels, were all a burden to the State under one form of payment or another. Now the name of general was very honourable indeed when it signified service; but he could not consider it so honourable when it was handed about in such a way as this. Of these 800 generals how many were employed? There were employed 15 in administrative duties at home; 21 commanded at home; 12 in the Colonies; and 43 in India—that was to say, 91 in all. But of these officers, 23 were colonels commanding brigades, so that we were in the position of having 10 generals doing nothing to one who was actually employed. The cause of this scandalous and, from the taxpayers' point of view, this cruel state of things was that, if not for the purpose, still with the practical effect of bewildering and bamboozling the nation, Government after Government had refrained from extending to the Army the wholesome rule which had prevailed in every well-ordered service as the first condition of efficiency and economy, that rank should always be accompanied by corresponding duties. Instead of this simple, rational, and almost universally accepted principle, we lumped together a vast, and to any but a practised professional eye, indistinguishable multitude of officers paid under a multitude of different heads, and of every degree of merit, and he wished he could add of age. Unfortunately, one of the worst results of this system was that we never got a general promoted at an age when his promotion would be useful to the public. The reason was obvious—the number of generals was to be determined not by the needs of the service, but by the utmost which could be squeezed out of the Exchequer. There would always be so many officers unemployed that inefficiency whether from age or demerit would escape notice. In the Peninsular War the Duke of Wellington became major general at 33, Lord Anglesey at 34, Lord Hill at 33, Lord Beresford at 39, and Lord Combermere at 31. Of all the generals employed in that great war, only two had passed the age of 40 without becoming major generals. But the average age of the officers promoted in 1851 was not less than 60. Was the case any better now? He had recently taken the last four in each rank of our establishment, computing them to have entered the Army at 18; and he found that the four major generals in the Staff Corps were respectively 60, 65, 65, and 51 years of age, and the four not in the Staff Corps, 51, 55, 53, and 49. The last four lieutenant generals—that is to say, the youngest men—were 71, 54, 71, and 80. The last four full generals were 63, 70, 75, and 71. But he would be told that the title of general gave gratification to an old officer who had served his country faithfully in days gone by. But why in the Army more than elsewhere should a man wait for honour and reward until he was on the verge of the grave? See how the present system weighed upon officers who could work and fight. Let hon. Gentlemen look at the 3rd Buffs in *The Army List.* There was no man whose reputation for soldierly efficiency stood higher than that of Colonel Walker, at present serving as junior major of four in that regiment. He purchased nothing. He had the Victoria Cross. He cut his way up, sword in hand, till he had no longer an arm with which to wield a sword. He had not been unfairly used. His superiors had done all that they could for him. In Army rank he was not behind the purchasing officer of his own age. But it was not too much to say that before Colonel Walker could, as a general, with general's rank, command his brother soldiers who had so much confidence in him, he would be well on to his grand climacteric. But if it was hard upon the officer that we surrendered the principle that rank should mean service, it was doubly hard upon the taxpayer that we had surrendered the principle that men should be paid by salary for work that they were doing or by pension for work that they had done. Now, in the case of our generals this distinction was utterly lost sight of. Some were paid by what was called salary, and was really pension; others by what was called pension, and was really salary. Others were receiving at the same time both the one and the other. Their principal sources of revenue he would proceed to indicate—£19,000 a-year under the head of Staff pay, and £80,000 a-year as pay for general officers. Then there were the salaries at the Horse Guards and the War Office, and the half and full pay which retired generals received according to the rank in which they left the Army. A considerable number were paid by the Indian Exchequer under the head of colonels' allowances, and in this case he must request attention to the fact that our habit of considering the claims of officers instead of the necessities of the service had, in the case of India, betrayed us into what was nothing short of a national crime. Dealing with other people's money instead of our own, we had placed no effective limit to the number of officers who were to succeed to colonels' allowances; and the consequence was that for the Native Army alone there would seven years hence be £500,000 paid away in colonels' allowances, and before 20 years were out, our Indian fellow-subjects would be paying over £1,000,000 sterling in annuities to superior officers under this single head. We were distributing among our generals a sum of £720,000 a-year, which was equal to the pay of 30 battalions at war strength, or it was sufficient to provide elementary education to Scotland and Ireland. The last and largest items were the £203,500 paid to the fortunate holders of honorary colonelcies; and it was on the existence of these that he was going to take the opinion of the House. Their origin was well known. In old days men of rank and property raised regiments which they paid and clothed out of a lump sum which the Government disbursed for the purpose. He had on a previous occasion related by what steps these offices changed gradually into pure unadulterated sinecures to which fixed incomes were attached. He deliberately called them sinecures, for they did not fulfil the conditions of a pension. The first condition was that it should vary in uniform proportion to the length of service and amount of salary. But the colonelcies were not uniform, but varying in nine separate amounts from £990 up to £2,200 a-year. The next condition of a pension was that it should not be held at the same time as salary. But about 20 generals were enjoying these so-called pensions at the same time as salaries. No wonder that the right hon. Baronet the Member for Droitwich (Sir John Pakington) declared two years ago that he had always thought the system of honorary colonelcies an anomaly and a most objectionable mode of paying for the services of officers. Nor was there anything very elevating in the associations connected with them. From their very foundation they were made the vehicle of the most monstrous jobbery by rich landholders, who took advantage of the danger of their country to plunder and cheat her. The story of what happened in 1745 might be read in Horace Walpole's *Letters*, and more concisely in Lord Stanhope's *History*, and what they were at a subsequent date might be seen in the Report of the Committee of this House on Garrison Appointments in the year 1833. That Committee showed that the colonel of the regiment in his character of contractor derived a profit by his regiment being sent to an unhealthy climate, or if a great mortality fell on it. They analyzed the receipts of the colonels, and, in the case of the Grenadier Guards, found them to consist in the colonel's own pay of £1 16*s.* 7*d.* a-day, in the profit on allowances for clothing sergeants, corporals, and drummers, 2,184 real men, and 104 fictitious men at £3 17*s.* and 19-84ths of a penny a-piece; in the pay of 26 fictitious men at 6⅞*d.* a-day, and in allowance for clothing fictitious warrant men and hautbois for which no deduction was made. The Committee recommended a consolidation and diminution of these allowances; but so perverted was military feeling by the existence and contemplation of these sinecures that in the face of all these 8ths and 84ths of a penny, and these warrant men who never drilled, and hautbois who never played, they actually recommended that—

> "In consideration of the great and glorious military services of the Duke of Wellington, exemption should take place in his person from the operation of this rule, and that no change should be made in the emolument of the 1st Guards so long as his Grace shall continue to hold the colonelcy of the Regiment."

But in other respects the example of this Committee—one of those fine outspoken Committees appointed by the first Reform Bill—was well worth the imitation of this House. They had to consider the old garrison appointments, of which the Staff of the Tower of London was now almost the sole relic, and which were defended on precisely the same grounds that the colonelcies are at this moment, and they reported that—

> "After fully considering the question of the non-effective garrison appointments with the opinions expressed in their favour by the Duke of Wellington, the Committee are still of opinion that, upon the principle laid down by Parliament that all sinecure offices ought to be abolished, no garrison appointments should in future be made where no efficient military duty is performed; but the Committee do not recommend the withdrawal of the salaries to the prejudice of any existing interests."

They then called attention to the large number of general officers on the list, and expressed their anxious hope that no addition should be made to it, except upon very strong grounds of public necessity. Those who supported the Government in the Abolition of Purchase did so on the ground that the preceding would prepare the way for economies. He had showed in the course of the debate on Purchase that the sums paid for retirement, if properly utilized, would more than provide for a system of pensions, and the Secretary of State for War had in reply to a Motion of his two years ago stated, that when purchase was abolished the question of retirement would be a subject of great care and interest. The first application of that care and interest should be to discover what sources of economy have become available in consequence of the abolition of purchase. Every Commission and Committee that had ever sat was of opinion that the existence of the purchase system was the cause of the great money prizes provided in the higher ranks of our Army, and, above all, the cause of the continuance of the honorary colonelcies. Over and over again this opinion was laid down by the Duke of Wellington. "They cannot," said the Duke of the honorary colonels, "be allowed to sell out. Their money is sunk in the service and lost to them and their families for ever," and the Secretary of State said, in 1871—

> "The truth is that when an officer arrives at a certain rank he must choose between two things, whether he shall realize his money or go in for the prizes of the service."

That was the reason for continuing those sinecures upon officers who had already become major generals in 1871; but surely it was an overwhelming reason for refusing to create any more vested interests. During the past two years, however, no less than 47 officers of the British Army had become major generals, of whom, he supposed, 20 or 25, at the least, had sacrificed their money and established a claim for the honorary colonelcies. Would the Government continue to condemn these officers, and continue to allow the creation of fresh vested interests? Would they go further, and defend the system on its merits? We had just as many Secretaries of State as we wanted, and as many Judges. In theory they had only just sufficient Commissioners of Customs and Inland Revenue. In the case of the sister service, no one thought of rewarding the Navy by establishing honorary post captainships or honorary purserships. The fiat had gone forth that thenceforth the ranks of officers in the Navy should be reduced to what the service required—that there should be only 50 admirals, 150 captains, and 200 commanders. Labour unions were denounced on the ground that they did not make regulations with a view to produce as much work as possible, but to increase the number of workmen who did it. Surely the House should set the labour unions an example, and conduct the establishments under its control upon principles recommended for the guardians of the unions? Already an idea had got abroad that they reduced from below and not from above, and that there was one law for the rich and another for the poor. A few years ago several thousand workmen were discharged from the dockyards, and the credit or discredit of that measure—for his own part he regarded it as a creditable measure—rested upon both sides of the House. The discharged persons were not established men, and had no pension; but the implied condition of their service was that they should succeed on good behaviour to the establishment, and obtain continuous employment and a right to pension. They stood exactly in the same position as those officers still on the colonels' list stand with regard to the appointments now in question, and as they stood in 1871. By not treating the officers as the dockyard labourers had been, the country was charged with a prospective expenditure of many thousands a year. How far we had been actuated by unjustifiable tenderness for individuals in dealing with military questions might be seen in the Correspondence between the Home and the India Governments in 1871. Lord Mayo as Commander-in-Chief, and the rest of the Council earnestly pleaded for a large reduction in the number of regiments and batteries in the interest of the overburdened people of India. The opinion of those on the spot, however, was overruled by advice which, under the circumstances of the case, should never have been set against that of Lord Mayo and Lord Sandhurst writing from the Council Room of Calcutta. The Home Government returned an answer stating in so many words that the Army was kept up in the interest of the officers. In conclusion, he would say that it was a very pleasant thing to deal in abstract Motions about economy, which were applauded and ignored, but which nobody resented; but it was much less pleasant to run counter to the feelings of his own class, and incur charges of inaccuracy, the real meaning of which was that he had been only too accurate to suit the interests and susceptibilities of persons strong in numbers, influence, and leisure to write to the newspapers. He could assure the House that in nothing that he had said had he any intention of wounding the feelings of any officer. The hon. Gentleman concluded by moving his Resolution.

MR. BROWN, in seconding the Motion, said, he had no wish to attack any of the honorary colonels, but simply wished to show why the existing system should be altered. The honorary colonels' list now cost the country £230,000 a-year. From age and infirmity few of those on the list could be regarded as effective, yet the charge was made upon the Regimental Vote. No doubt the position was given as a reward of long and distinguished service; but it would be more consistent if the cost of these rewards was placed on the Distinguished Service Vote. Hon. Members were in the habit of making unfavourable comparisons between the cost of the British Army and that of the armies of other countries; but they overlooked or were ignorant of the fact that this disparity was due in great measure to the effective service in this country being charged with a large amount of non-effective pay. The existence of honorary colonelcies would, in his view, entirely prevent the establishment of a satisfactory system of retirement; and therefore, as the creation of such a system lay at the base of the Government measure for the Abolition of Purchase, he thought the right hon. Gentleman the Secretary of State for War ought to accept the proposal of the hon. Member for the Border Burghs (Mr. Trevelyan).

Motion made, and Question proposed,

"That, inasmuch as it would greatly conduce to the diminution of our Military expenditure and the improvement of our Military organisation, that our establishment of officers, in all ranks, should be founded upon the actual requirements of the public service, the House is of opinion that no further appointments should be made to the honorary Colonelcies of regiments."—(*Mr. Trevelyan.*)

MR. CARDWELL said, he could not agree with the proposal of his hon. Friend the Member for the Border Burghs (Mr. Trevelyan), and hoped to be able in a few words to satisfy him that it was not desirable to press his Motion to a Division. It was extremely easy to lay down the principle that, as in civil life, so in the Army, they should only have as many people as were actually required to do the current work. If the Army were intended for peace and not for war, and if it did not happen to be the fact that, while in the earlier ages of the soldier's life there was occupation for a very considerable number of officers in the various positions in the regiments while in the higher ranks of the service they could only employ a small proportion of officers; and if it did not happen further that in time of peace gentlemen did not die exactly at the period that would suit the public Exchequer—namely, at the period when their regimental services were over and they were ready to enter upon the higher ranks—then they could act upon the principle which prevailed in the Civil Service, and only employ as many men in each rank as were actually required for service. The opposite, however, was the case in the Army. It was all very well for his hon. Friend to say that there was an impression created that the Government was very ready to deal harshly with those in the lower ranks of life, but to be unduly circumspect when dealing with persons in the higher ranks, and, in support of this view, to quote the way in which dockyard men not occupying established positions were discharged, and then to compare this with the discharge of officers. But the fact was that were there was a life interest—whether in the Royal Dockyards or in the case of officers in the Army—that life interest had been respected in any changes which might have taken place. His hon. Friend seemed also to have forgotten that when, in the judgment of the Government, it appeared desirable to disband certain regiments in order to reduce the expenditure, no personal interests of the officers stood in the way of the execution of the purpose. So far from this being the case, several regiments were disbanded out of regard to the interest of the taxpayers, and almost entirely without regard to the interests of the officers. His hon. Friend must also excuse him for denying any belief in the opinion that those who had regulated the Government of India, either in the present or any former Administration, had employed the Indian Army for the benefit of the Army and not in order simply to maintain the great and beneficent purposes for which England retained the Empire of India, and the fulfilment of the great charge which England had undertaken in that part of the world. He knew that when the revenue of India was deficient an application was made to him to relieve them of certain forces, and this wish was immediately carried into effect. Now he would say a few words as to the details of the speech of his hon. Friend. Going through the question of the proportion of officers to men in the various branches of the service, he said that in the cavalry branch our Army compared favourably with that of Prussia, where there was one officer to 28 men, and with France, where the proportion was one officer to 17 men, the proportion in our own Army being one officer to 21 men. While admitting, therefore, that our cavalry regiments compared favourably in this respect with those of other European countries, his hon. Friend said that if it came to a war and it was necessary to increase the numbers of the rank and file it would be necessary also to increase the number of officers to command them, and also to meet the casualties of warfare. His hon. Friend had fastened upon the Household Brigade. No doubt the proportion of officers to men was small in the Household Brigade; but if he had come down early in the Session to propose an increase of the number of men in that Brigade he should have been met with the objection that he was proposing to increase that which was the most expensive portion of the Army, and to increase it in a time of profound peace. He regretted the expressions which his hon. Friend had used with reference to the Infantry, because they would give pain to those who read them and would excite feelings in their hearts which he was sure his hon. Friend, who took a real interest in the Army, would be the last to wish to prevail. His hon. Friend should have remembered that three years ago the number of officers was reduced by 1,291. That was a very considerable reduction, and one which should be mentioned when complaint was made that so many officers were retained. Speaking of officers in the Infantry, it was asked—" Why should we have three to two officers in our Army as compared with Prussia?" He would give reasons which to him at least appeared to have some weight. In the first place, he believed it was no secret that the Prussian army at the close of their victorious war was very considerably under-officered. In the second place, we had not in this country that which would be much more objectionable than any excess there might be in our Army Estimates, and that was the system of conscription. But if we were not to have that system we must appoint officers who could lead our troops, and who were of the higher classes, and had received the benefit of a superior education. We must, therefore, be prepared to maintain a larger number of officers, comparatively speaking, than a country that draws its troops equally from all classes of the people. Again let us compare the total number of officers in the British Army with the number of French officers at Sedan. At the capitulation of Sedan 2,866 officers were surrendered, besides a very large number that had been taken prisoners during the battle. If the number of our officers was greater in proportion to the number of our men than was the case in other Armies, yet the absolute number of our officers was small, and it should be remembered that our Army was designed, not for a period of peace, but for a period of war, and that when we came to be engaged in war, particularly if it were for the defence of this country, we should be very glad indeed if we could avail ourselves of a certain number of superfluous officers, as some called them, to supply casualties, and to join the Auxiliary Forces. With regard to the Motion itself, he was not in the least degree disposed to say any more than his right hon. Friend who preceded him in office (Sir John Pakington), that the institution of honorary colonels was one that he regarded as he did a portion of the British Constitution. He did not think that our regulations in that respect were like the laws of the Medes and Persians, incapable of alteration and improvement. But he thought he could submit to his hon. Friend some reasons why he should not persist in the present Motion. He had to remind him that of the many who entered the Army as officers only a small proportion could find active employment in the higher ranks. We must provide for these men who could not find such employment. How? If by a compulsory retirement on a lower rank, that would be an extremely unpopular thing, and it must be remembered that these men did not enter the Army with the view of compulsory retirement. His hon. Friend said that it was a very agreeable thing to be called a general. That title was, no doubt, part of the inducement to a young man to enter the Army, though with only a small chance of attaining it. But if they told him (Mr. Cardwell) that they were going compulsorily to reduce that man, when his services as a general were not wanted, at the rank of captain—of two things one—either they must give him a very good retiring allowance, and to do so to young men would be a very expensive process, or else if they did not do that they would be called upon to increase the pay of the Army generally; for if they did not give them either one or the other of these advantages they would find a want of candidates for the Army. His hon. Friend who spoke last said—"Let the honorary colonels receive their present allowance, only let them receive it in a different part of the Estimates." That would not contribute much to diminish the burden on the taxpayer. His hon. Friend (Mr. Trevelyan) had admitted that those who had sunk their money under the old purchase system had an equitable claim to be regarded as having a vested interest. His hon. Friend said that a certain number had already risen to be majors general since the abolition of purchase, and that it was not economical for the Government to have permitted that. Now, with great deference to his hon. Friend, he was not prepared, without further proof, to admit that it would have been a very economical—certainly it would not have been a reasonable—thing to force those gentlemen to go to the Purchase Commissioners for a settlement of their claims, and so to retire from the service in which they desired to continue, and for which their previous experience and training had qualified them. But there was another point — this question was not deemed by those who had an opportunity of looking at it to be so simple as some persons supposed it to be. It was, in reality, one of the most complicated and difficult questions which anybody could undertake; because what it really meant was not the mere abolition of the name of honorary colonels, nor was it the mere settlement of the question whether the present sum of about £220,000 a-year which was to go to the general officers should be distributed exactly as it was now distributed. The upshot of the thing was that a general, after a service of, perhaps, 40 years, received in round numbers from £460 to £1,000 a-year. The Motion was levelled at the honorary colonels of the Cavalry and the Infantry, but in order to deal with them it was necessary to take into consideration the case of the Artillery and the Engineers. It was a subject that had been inquired into by two Royal Commissions. But further than this, when the Cavalry, the Infantry, the Artillery, and the Engineers were dealt with, that was not all, we should have to deal with the Indian officers, whose rights had been the subject of a Parliamentary guarantee. He was perfectly willing to consider this question with great care as regarded the interests of the taxpayers, and with the view to all the claims of those possessing vested interests who had sacrificed their money and had entered the service with a prospect of obtaining rewards for their services; but as it was a large and complicated question, it could not be dealt with off-hand by a Motion like this in the House of Commons. There were reasons why it was necessary that this question should be examined, and, in point of fact, it was now being examined. One reason was that last year they had established a new scale of promotion for the Artillery and Engineers, which, although it was sufficient for its present purpose, would not be sufficient for all time. There was, however, another reason. After the fixed establishment had been created upon the advice of a Royal Commission, there came a Royal Warrant amalgamating the Indian with the English Army, and the result of that Warrant would be to give an enormous preponderance to the Indian over the English establishment. It was impossible for him to agree to a Resolution which, dealing with a complicated system and interests curiously intertwined, would, by a single stroke, effect so great an interference as he had pointed out. It would, in his view, be unjust and unwise to do so. The Government had already taken steps which he should be prepared, if it were necessary, to explain at length to the House; but, for the reasons he had already given, he hoped the House would not adopt the Resolution of his hon. Friend.

Mr. TREVELYAN considered the arguments of his right hon. Friend fair and temperate; but still he was not satisfied with the explanation.

Question put.

The House *divided:*—Ayes 40; Noes 80: Majority 40.

ANCIENT MONUMENTS PRESERVATION BILL—[Bill 5.]

(*Sir John Lubbock, Mr. Beresford Hope, Mr. Bouverie, Mr. Osborne Morgan, Mr. Plunket.*)

SECOND READING.

Order for Second Reading read.

Sir JOHN LUBBOCK, in moving that the Bill be now read a second time, said, the monuments it was intended to preserve had in past times been upheld owing to the traditional—he did not like to call them superstitious—feelings of the people. That state of things had, however, passed away, and now some of the most interesting relics of antiquity, including many of our Ancient Camps, were being sacrificed owing to the increasing value of land; and the material of which the megalithic monuments were composed was used for building and other purposes. He held in his hand a letter from the President of the Society of Antiquaries, expressing a conviction that unless some such Bill as this were passed, very few of them would long remain. [*Cries of* Move.] Seeing that the House concurred in the object he had in view, it was needless for him to enter into particulars, and he should therefore move the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir John Lubbock.*)

Mr. BRUCE sympathized with the object which his hon. Friend had in view, and on the part of the Government he had no objection to offer to the second reading of the Bill. He desired to say, however, that while the Government were willing to give every facility towards the institution of a body to take charge of these monuments, and towards enabling it to acquire the necessary property in the land on which they were placed, still they were not of opinion that it was a purpose to which the public funds should be applied. Nor did he think it was necessary that the public funds should be so applied. He was sure there were persons sufficiently interested in antiquarian matters to supply the requisite funds, and any appeal made to them by the hon. Baronet, who had done so much to elucidate the history of these monuments, would be cheerfully responded to. If the hon. Baronet would consent to expunge the provision as to the Treasury, the Government would give him every assistance; otherwise, as a matter of principle, they must oppose a Bill to which they had no other objection.

Sir JOHN LUBBOCK said, that under the circumstances, he had no option but to accept the conditions of the right hon. Gentleman.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday.*

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 7th May, 1873.

MINUTES.]—New Member Sworn—Viscount Chelsea, *for* Bath City.

Public Bills—*Ordered—First Reading*—Municipal Corporations Evidence * [155]; Public Meetings (Ireland) * [157].

First Reading—Supreme Court of Judicature * [154].

Second Reading—Permissive Prohibitory Liquor [14], *put off;* Public Health [99], *debate adjourned;* Prison Officers Superannuation (Ireland) * [142].

Report—Railways Provisional Certificate (Widnes Railway) * [78-156].

Considered as amended—University Tests (Dublin) (No. 3) * [124].

Third Reading—Oyster and Mussel Fisheries Order Confirmation * [131]; Pier and Harbour Orders Confirmation * [132]; Fairs * [138]; Vagrants Law Amendment * [143], and *passed.*

PERMISSIVE PROHIBITORY LIQUOR BILL—[BILL 14.]

(*Sir Wilfrid Lawson, Lord Claud Hamilton, Sir Thomas Bazley, Mr. Downing, Mr. Richard, Mr. Miller, Mr. Dalway*)

SECOND READING.

Order for Second Reading read.

SIR WILFRID LAWSON, in moving the second reading of this Bill, said: Sir, I am reminded that we stand in a rather different position from that of last year. This is the only Bill at present before the House which deals with the liquor traffic, with the exception of the Bill of the hon. Baronet the Member for Dublin (Sir Dominic Corrigan), which applies only to the sale of liquors on Sunday in Ireland, and the Bill of my hon. Friend the Member for Bath (Mr. D. Dalrymple), which deals rather with drunkards than with the causes of drunkenness. The Bill which I now move professes to deal with the causes of drunkenness. Now, Sir, this is a very different state of things from what we had last year, for then we had no less than six Bills before the House, all attempting either to regulate or improve the law with regard to the sale of liquor. But the House will remember that all these Bills came to an end according to the usual course of Parliamentary death, except the Bill that was proposed by the Government, and was brought in by the right hon. Gentleman the Secretary of State for the Home Department. Sir, the House must well remember the pains and trouble that it took in passing the Bill, and what a time we were in discussing it; how we rose up early and sat up late; how we met on unheard-of days and at unheard-of hours; how all parties co-operated in endeavouring to improve the Bill; and how the hon. Baronet the Member for South Essex (Sir Henry Selwin-Ibbetson) generously gave up his own measure and did all in his power to make the Government Bill a perfect one. Hon. Members will also remember that the Home Secretary had worked hard at this question, and that for years he had been considering it. Over and over again we had been told to wait until the Home Secretary "grappled" with the question, and at last he did grapple with it. The House of Commons and the Government having thus concurred in passing the best measure in their power, I may be asked—"Why, after all this trouble, do you presume to re-open the question?" Well, Sir, I presume to re-open the question because, although the House and the Home Secretary are satisfied with their work, I distinctly say that the country is not satisfied, and that its demand is for something more to be done in this matter, and it will not be satisfied until something more has been accomplished. I am not going to weary the House by quoting police statistics with a view of proving that so many more persons were taken up before the magistrates and fined this year than there were the year before. I am not going to weary the House with these kinds of arguments, for I know how I should be met if I did so. If I was to say that so many more persons had been arrested this year I should be told at once that the police were much stricter now than they were. But if the police Returns show fewer arrests, that is always hailed as a proof of intemperance diminishing. It is not for me to quarrel with such arguments, but I will give a test which I think no one can contradict. I will take the statement of the Chancellor of the Exchequer—a statement which he delivered in this House only a few weeks ago. The right hon. Gentleman proved that there had been an increase in the Excise duties of £1,300,000, and that during the last financial year he showed there had been an increase of £25,000 per week in the consumption of spirits in this country. No one can dispute that. I am not going to say or to endeavour to prove which class of the community drinks more or less than they did. If I speak of drunkenness as the curse of the country I am met by the statement that in the last generation the old country squires used to drink till they tumbled off their chairs, and that they never went to bed sober, whereas now drunkenness is entirely confined to the poorer classes. The other day I stated in the House that the increased consumption of drink, arising principally from beer and gin, proved that the working classes were now drinking more than ever. I was immediately told that

I was wrong, and this increase arose from the middle classes. I am not going to say where the increase is; all I do say is that the figures of the Chancellor of the Exchequer prove that during the past year the people of this country have poured down their throats a greater quantity of liquor than the same number of people ever did before in the same time since the beginning of the world. [*A laugh.*] That is my case. I do not say who they were. The hon. Gentleman opposite (Mr. Collins) may laugh, but this is no laughing matter when we come to think of the injury and the misery that is caused by drink. I do not attempt to state on my own authority whether there has been more drunkenness during the past year or not. All I can go by is the reports which have appeared in the press, and by the statements of all those well acquainted with the working classes, who declare that a vast proportion of the very high wages now earned are expended in drinking and dissipation. I will take the Report of the Licensed Victuallers' National Defence League with regard to the working of the new Licensing Act, in order for us to judge if drunkenness has increased or decreased. This League sent a circular to 73 places asking if drunkenness had decreased or not, and I find that only three answers have been returned stating that there had been any decrease. In 34 places it was reported that it was stationary, but in 36 there had been an increase. Therefore, according to the agents of the Licensed Victuallers' League, there had been an increase, and not a decrease, in the amount of drunkenness. Now, do not let hon. Gentlemen say that the Act which was passed last year has not been worked efficiently. So far as I can ascertain, it has been worked efficiently, and great pains have been taken to enforce it, and extraordinary statements have appeared in the newspapers of the stringency with which it has been enforced. All the penalties have been put in force. I have read of men being adjudged to be drunk because they had flushed faces; indeed, I have read an astounding statement of a landlord being fined for being drunk in his own house, and it seems clear that the Act has been efficiently carried out. It must be most gratifying to the right hon. Gentleman the Home Secretary, to hear that in our large towns order and decorum now prevail at night in a much greater degree than before. Then I remember it was said that adulteration existed to a great extent; but I think that the evil is proved not to be so great as was anticipated, for I have not heard of a single case of a publican being charged before the authorities with adulteration since the Act was passed. As it seems this portion of the Act has not been put in force, I think that adulteration was not an evil to the extent which some hon. Gentlemen thought that it was. I am, therefore, entitled to assume, in reviewing the position, that we have got the best Act for regulating the drink traffic which this House could pass, and that under it we now have the best of men selling the best of drink. I have stated already that both sides co-operated to secure its passing, and that everyone worked hard for it, and we must, therefore, agree that it was the best Act which the House could conceive, and that it was made as perfect as possible. Yet notwithstanding all this, the Chancellor of the Exchequer comes down to the House, and not only asserts but proves by indisputable figures that there is more drinking now going on than there ever was before. The Bill of last Session, however, did not venture to touch Scotland, and my hon. Friend below me (Sir Robert Anstruther), although he did much to make the English Bill a good one, did not venture to bring forward a Bill of his own again this year. So that now Scotland, which requires a Bill quite as much as England, is left out in the cold altogether, although the people of that country cry out for legislation quite as loudly as do the people of England. Now in this Bill I do not wish to interfere in any degree with the Bills of any other hon. Gentleman wishing to deal with the licensing question. Mine is not a licensing Bill. I do not believe in licensing. This licensing system has been dealt with by the House for 100 years. ["No!"] Well, some hon. Gentlemen do not seem to agree with that statement, and challenge the assertion—I will say then for generations. For generations the House has been endeavouring to make a perfect licensing system, and the result seems as far off as ever, and is unsatisfactory to everyone concerned. But there are certain parts of the country where the inhabitants are quite satisfied with the state of things existing therein. I do not say this on my own authority, but will quote from a recent article in *The Edinburgh Review.* The writer of this article states that—

> "We have seen a list of 89 estates in England and Scotland where the drink traffic has been altogether suppressed, with the very happiest social results. Within the province of Canterbury, as we learn by the Convocation Report on Intemperance, there are no less than 1,492 parishes, townships, or hamlets, where there is neither public-house, nor beershop, and where, in consequence, the intelligence, morality, and comfort of the people are all that could be desired."

There are some of these districts also in Ireland. There the people are sober, comfortable, and well behaved. Now all I ask in introducing this Bill to the House of Commons is that in those places where public opinion is ripe for the change, that where the inhabitants by a large majority wish it, they may be enabled to put themselves in the same happy position with respect to order, decorum, good conduct, and comparative absence from crime as the districts which I have mentioned. If at the expiration of three years it is found that pauperism, crime, and destitution has been diminished, then, perhaps, they will continue the prohibition; but if, on the contrary, it is found that crime, pauperism, incurable disease, and insanity has increased from the want of places where intoxicating liquors are sold, and that the people of the district evince a burning desire to get them back again, then it is within the power of the ratepayers, by a bare majority, to return to the old and happy state of things again. All we ask is that districts may have an opportunity of trying prohibition if they be so minded. I am not going to enter into details touching the clauses of this Bill now that I am moving the second reading, but I may say that the clauses are similar to those of other Acts of a permissive character already in force. It is similar to the Bill which I introduced last Session, and the principal clauses have been taken from other permissive Acts. It is possible that they are not the best that can be framed, but I am not absolutely attached to the form in which they are drawn, and with regard to the proposed mode of taking the votes and other matters of machinery and detail, it may require improvement; but on all these points I shall be happy to accept from hon. Members any suggestion which may make it more efficient. The main principle of the measure is that if licences are to be granted at all they should be granted for the good of the public, and not for the advantage of the individual. There are some hon. Gentlemen who do not hesitate to assert that if the Bill was passed it would nowhere come into operation. That is the opinion of the hon. Gentleman who again moves its rejection. He said last Session that if this Bill was ever passed it would be impossible to carry it into operation in any part of the country, and that also is the opinion of the noble Lord who has just taken his seat for Bath (Viscount Chelsea), who, in one of his recent speeches, says that this Bill would be almost entirely inoperative. Now, if these are the opinions of the opponents of the measure, how does it come to pass that they are moving heaven and earth to reject it? It seems to me that they really think the Bill will be inoperative, and that it will be impossible to give effect to its provisions; that they might save themselves a great deal of trouble by voting for it, and by so doing get rid of a troublesome question in this House altogether. Others assert that the Bill, if passed, would be brought into operation everywhere. If that be so, it proves how enormous is the injustice and evil at present inflicted throughout the country. But what seems now probable is that the Act would be brought into force in certain places. When public opinion was in favour of order rather than drunkenness, prosperity instead of debauchery, and respectability in place of revelry, then the plan would be tried. This is my own belief, and this is the belief of the licensed victuallers also. They know well enough that it would possibly be adopted in many places; and therefore it is that they so steadily oppose the Bill. Hon. Members know as well as I do that the great drink interest would gladly accept all the licensing and regulation Bills which have ever been suggested in this House, if they could only by so doing get rid once and for ever of this Permissive Bill. But I am sometimes told that I should deal with the question in an Imperial way, and that the principle of this Bill is defective. All I have done is to adopt and advocate a principle which is in force in the country. Licensing of public-houses is permissive now. The justices of the peace can prevent the opening of public-houses within their district. What I want is that not only the magistrates but that the ratepayers of a district shall have an influence in this matter. If a man wants a licence let him put out his notice as he does now, and take the other preliminary steps which he is required to take under the existing regulations, but let him also be able to show that there is not any overwhelming expression of public opinion against the granting of licences in his district. If there be no such expression of opinion then the magistrates exercise their discretion as usual; but if there be such an expression it is to be conclusive, and the magistrates are not to be allowed to defy the public opinion of the district by granting licences which the people considered injurious to the public welfare. Permissive Acts are now in force with regard to education, schools, baths, workhouses, recreation-grounds, and many other things. It seems strange when localities are thus allowed to tax themselves, and to take the necessary steps for the purpose of attacking dirt, disease, and ignorance, that they should be allowed no power to attack drunkenness, which is the prolific mother of all these evils. I cannot understand why there should be a hard-and-fast line in favour of public-houses, and why the inhabitants of a locality should not have a voice as to whether drink shops should be established in their midst or not. My Bill—when it shall pass—will not create fresh penalties, except in the case of fraudulent voting. There is no penalty inflicted for drunkenness. I do not believe in penalties; and I think that a drunkard inflicts a penalty upon himself quite as great as your artificial penalties. Now, the Home Secretary cannot say—as he has said once before in discussing this matter—that I am throwing any obstacle in the way of legislation. If he has any more legislation on the stocks, let him come out like a man and declare it. I do not ask him for the details of any coming measure, but he is bound to tell me the principle upon which the Government are going to act in the matter. Are the Government going to back up the excellent law which they passed last year by another measure? I do not think they will. Are they going to increase the severity of the existing law? I do not think they will do that, because what will the publicans say to it? Are they going to leave the law as it is? If they are, the Home Secretary cannot say that, in introducing this Bill I am throwing any obstacle in the way of legislation. Public opinion is advancing so rapidly in the direction which my Bill takes, that by this time I am almost beginning to think I am a retrograde myself. A great number of Petitions have been presented to the House from several parts of the country from a body calling themselves Good Templars, praying Parliament to stop the importation and manufacture of drink in all parts of the kingdom altogether. I have told the House before that I am making the most moderate demands on the part of the people; and that if they do not listen to me now, a worse evil will befall them. The demand made by the Good Templars may appear absurd to some hon. Members; but I wish to remind them that a law similar to it has previously been in operation in this country. Smollett, speaking in 1794 of the prohibition which then prevailed, says that the salutary effect of it was visible in every part of the country, and that no evil resulted from it except a diminution of the revenue. In 1796, two years later, the same measure was adopted, and Hume adds his testimony as to the benefits which accrued from it; so that when hon. Gentlemen laugh at the demand made by the Good Templars, they will have to advance some good arguments before they can satisfy anyone that it is absurd. Ridicule has been cast upon the measure which I have ventured to introduce by calling it simply a teetotalers' measure. That argument was disposed of last year, when the junior Member for Derby (Mr. Plimsoll) got up to oppose this Bill. He was a staunch teetotaler, which the senior Member for the same constituency (Mr. M. T. Bass) is not; therefore this is not a teetotaler's question. The fact is, that it is a citizen's question; and there are plenty of men who are willing to sacrifice some little of their own convenience for the sake of doing a great good to the public. Those who support the measure are the people who see the evils of drunkenness, and believe that drink shops are a great cause of them; and they do not support the measure from any desire to force upon their fellow-creatures anything which will be repulsive to them. Who, then, oppose it? It is opposed by fanatics. ["Oh!"] It is opposed by those people who, having made the system of licensing as perfect as they can, say that, come what may, they will still have a law to enable persons to sell drink, whether the people want it or not. I call that fanaticism. Then the hon. Gentleman opposite (Mr. Wheelhouse) said last year that there were no gentlemen who had signed the Petitions in favour of this Bill. I am sure that if he and I were asked to define what a gentleman is we should agree in our definition. I regard a gentleman as one who respects the feelings and rights of others. What he meant was that none of the "swells" supported the present movement, and in that he is pretty nearly right. Well, I never, I am sure, attempted to delude this House into the belief that my Bill is in great favour with the upper and upper-middle classes. The licensed victuallers oppose it with great vigour. Let us now see what we are coming to in political life. One of the leading organs of the drink party stated a week or two ago that

> "Any Member of Parliament who professed sympathy with the un-English and despotic Bill proposed by Sir Wilfrid Lawson will now become a marked man, so far as our trade is concerned. Let us not be misunderstood. We have no political platform. We simply ask that a certain body of traders should possess the same privileges as their fellow-men, and to procure this we are prepared to vote, irrespective of religious or political views."

But that is not all. The hon. Members for Leeds (Mr. Wheelhouse) and York (Mr. J. Lowther) attended a meeting of licensed victuallers at York in December last, and on that occasion the hon. Gentleman who is about to lead the opposition against my Bill (Mr. Wheelhouse) advised his hearers

> "To sink politics, and as sensible men to look to their own interests. He did not mean to say that the licensed victuallers of England were so powerful that they could at any time turn the scales; but still they had an influence, and he recommended them to organize, and tell the Government that a certain state of things they would not have, and a certain state of things they would have."

Therefore it seems that on the one side in this movement are arrayed those who wish to get rid of disorder, riot, and crime; and on the other side stand the grand army of licensed victuallers, reinforced by the gentlemen, and led by the hon. Gentleman opposite. I am very far from saying that the United Kingdom Alliance is so powerful as to be able at present to cope with this combination; but I believe there is daily growing up in this country a feeling in favour of sobriety, and that there are numbers, especially among the working people, who will rally to the support of those gentlemen who, undeterred by threatened coalition, will oppose this great evil. I want to know why my right hon. Friend (Mr. Bruce) is going to oppose this Bill—I assume that he will do so, as he looks very like it. I do not think he will oppose it out of regard for the publicans, because, however much he might hope to conciliate their wounded feelings, the time for that is gone by for ever. He has committed a great and unpardonable offence against them by lifting his hands against the sacred drink traffic; and however long he may remain in office he will never, never be forgiven. He is spoken of with the greatest possible disrespect in the licensed victuallers' papers; and I have heard it said that there is a publican in the provinces who has erased the figure "eleven" from his clocks, and substituted the word "Bruce," and is in the habit of saying to his customers, when the hands of the clock reach that ominous word, "Now then, gentlemen, drink up—it has struck Bruce." So that the poor tipplers are turned out into the cold world with their hearts full of bitterness and animosity against the right hon. Gentleman. At a great meeting of the Licensed Victuallers' National Defence League, held the day before yesterday, a gentleman named Pascoe tendered this advice to his hearers—

> "On the day of election go early to the poll, taking your friends with you; and before going let these words be engraven in your hearts—'Bruce's Confiscation Bill and Lawson's Permissive Bill.'"

But there is a document emanating from the same League which also is interesting, for this is the way in which it addresses the House—

> "We ask that this time, so far as your vote is concerned, the Bill shall receive its quietus. We are apprehensive, however, that after giving it its annual airing, its promoters will renew the tactics of last year, and shuffle out of a division by talking the Bill out."

The assertion as to talking the Bill out, I may remark, is incorrect, for it was quite by accident that no division took place upon the second reading. A friend of the Bill moved the Adjournment of the Debate, but proposed to withdraw his Motion directly he found that the supporters of the Bill desired a division. This he was not allowed to do by certain Gentlemen on this side of the House who—I suppose being unable to make up their minds on the merits of the question—insisted on dividing the House on the adjournment, and thus prevented a division on the Main Question. But however that might be, I promise to do all I possibly can to secure a division to-day. Then the circular goes on to say—

> "We have noticed with regret, on every occasion, that a great number of hon. Members absent themselves from the division. We trust that may not occur this time. On behalf of the great interest"—mark that, not the interest of the public—"we have been appointed to represent, we ask that, so far as practicable, every Member may record his vote either for or against the Bill. The trade is too seriously interested to be indifferent, and in the prospect of a General Election all we want is to know who are our friends and who our foes? 'He who is not for us is against us.'"

Then on the other side are these words—

> "Three things we respectfully ask for—first, press for a division; second, not to delay it by too much speaking; and third, vote one way or other."

I agree in all these recommendations and I only hope that hon. Members will vote one way or the other. Now, Sir, I wish the House to note that of late there has been a series of remarkable indications of the direction in which things are tending, and this direction must be clear to any hon. Member who follows the subject. The working classes are receiving more money now than the working classes of any country have ever before received, and so the consequence is that in many cases less work is done, and time previously spent in work I fear in a great many instances is spent in drunkenness and debauchery. It seems to me that it is not wise to trust altogether to the way in which we are now obtaining our revenue. It seems to me we are trusting for our financial prosperity on the increase of drunkenness in this country, and there is nothing in my opinion so unwise as to sell the morality of the country in order to be able to come down to the House and find that satisfactory balances have been produced. Now, Sir, as I have before said, there is another sign of the times to which I wish to direct attention, and that is—that no body of persons and no man presumed to bring in a Bill to alter the Bill of the Home Secretary which was passed last year, and that is sufficient to show how public opinion is running on this matter. We have heard a great deal outside of this House as to the alleged hardships of that Bill, but, mark this—nobody has dared to bring in a Bill to upset it yet, notwithstanding all the loud talk we have heard about it out-of-doors. We must assume, therefore, that we shall go on under the Bill of my right hon. Friend. Now, it seems to me that this question will before very long have to be fought out, as the licensed victuallers said, at the polling-booth. I venture to say, with all respect, that both the great parties of this House seem to be at this moment somewhat in want of a policy. As the hon. Member for Birmingham (Mr. Dixon) said the other night, we shall have to go to the country soon, and we must go upon something. I am not attacking anybody for this state of things or for there being no policy, because I think it is highly creditable to this side of the House. The Government have in fact done so many things that they do not know what to do next, and are sighing for new worlds to conquer. And, Sir, as to the Opposition, their great duty is to oppose everything the Government propose, and if the Government do not know what to propose, the Opposition cannot know what to oppose. Now, there has been a great deal of talk about the poor man in the debates which have recently taken place in this House, and there seems to be a rivalry on both sides of the House to decide who are really the friends of the poor man. The poor man is now the powerful man; he has got political power into his own hands, although he does not exactly know how to use it, but he is, depend upon it, feeling his way. I quite concur with the Chancellor of the Exchequer in the remark he made that the poor man is no idiot—and he is certainly far from a saint. The poor man, however, is improving his character, and he is learning politics for his own good. And you may rely upon this—that no Minister, be he ever so eloquent, can long persuade him that it is for his benefit that 150,000 drinkshops should be set down throughout the country raising £28,000,000 of money to the Exchequer annually, and this taken principally out of the pockets of the poor man. What really do hon. Members mean in reference to this matter? Sometimes when it suits you you say these drinks are necessaries for the poor man and not luxuries. Well, if that be so, can there possibly be anything worse, or can there possibly be anything more cruel than to levy a tax upon them and get money from them at the rate of 200 or 300 per cent. On the other hand, if you say that the tax is put on for moral purposes, then you admit my whole case, and the evil ought to be swept away. You admit that the use of these drinks is an evil that you are trying to stop, but you have not done it effectually, and you ought to do so. This measure which is now before the House has enlisted a very large amount of support from the poor man you are talking of; it has enlisted a large amount of support from the working people of this country. The right hon. Gentleman the Vice-President of the Privy Council declared in this House years ago that in the North of England, you could not call a meeting on any subject and put the question to those present but what you would find a majority in favour of this Bill. 1,400,000 petitioners have petitioned in favour of it, and last year I had in the lobby with me nearly two to one of the Irish, Scotch, and Welsh Members. It is England that stops the way and will not let the people of the United Kingdom have this great boon. I appeal to English Members that this may be so no longer. Sir, this Bill is supported by great numbers out-of-doors, because they believe it can never come into operation unless backed by a strong public opinion; because they believe that it is promoted in the interest of the people themselves and not in the interest of one great vested interest. They believe further that it is an honest attempt to check a great and growing evil in this country, which if not at once seriously and vigorously dealt with must inevitably lower us in the estimation of the other nations of the world. I fully endorse that opinion, and therefore respectfully beg this House to take into consideration the Bill of which I now venture to move the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Wilfrid Lawson.*)

MR. WHEELHOUSE, in moving an Amendment, that the Bill be read a second time this day six months, said: I never, Sir, expected that the hon. Baronet who has just sat down (Sir Wilfrid Lawson) would agree on any one point in relation to the Permissive Bill with any body of people such as the licensed victuallers; but I am glad to find that the hon. Baronet did agree with the three propositions to which he has alluded. I sincerely trust, like himself, that we shall divide to-day on this Bill, every man of us, and that there will be no mistake whatever as to who is on the one side and who on the other. If by not saying a single word against the Bill I could secure its rejection, I should be delighted; and I would have adopted that course all the more readily and freely, because I am one of those who think that everything that can be said in support of the measure has been said over and over again to the fullest extent, and there was no need therefore of prolonging the discussion with what in the end will prove to have been merely useless talk. I am, however, anxious at the outset to put myself right—not with the House, nor with the country, because I know quite well, so far as the House and the country are concerned, what position I hold—but with the hon. Baronet the Member for Carlisle, and with others by whom I have apparently been misunderstood. When the hon. Baronet undertakes to convey to the House something which he says I have stated, I would rather, if he will permit me to say so—that he should quote what I did say, and not his impression of what I said. What I stated was this—not that I did not think this Act would come into operation in any parish in the kingdom, but that if it did come into operation it could not be carried out. That was a very different thing and conveys a very different meaning from what the hon. Baronet has represented me to have said. Now, what does the hon. Baronet wish to accomplish by this measure? Do hon. Gentlemen know that the Bill actually endeavours to put a stop, by the strongest possible hand in the world, not only to the manufacture of intoxicating drink, but to all sale and provision of such liquor. It not only applies to public-houses but it applies also to every brewery and distillery in the country; and the hon. Baronet makes his position very plain when he says he does not like licensing at all. The hon. Baronet desires that not a particle of liquor shall be sold, and that its manufacture shall practically cease throughout England. When hon. Members are talking about the Permissive Bill, either in the House or in the country, they would do well to put before the public in so many words the language of the clauses of the Bill, so that men may understand what they are doing, and what they are supporting. The public are told it is intended that certain localities shall have the management of public-houses in their own hands; but let them have the Bill, let them read and explain the language of the Bill, and then ask them what they think of it. If the hon. Baronet, and those who work with him, would take take this course with the clauses of the Bill, they would not stand in the position they now occupy for a single minute. But, Sir, in what manner can you define a locality, or how are so-called localities to have the power which it is said this Bill will confer upon them? The plain fact is this—they might get the Bill carried into operation by a meeting, it may be, of some 10 or 20 people in a room which shall actually have conformed to the requirements necessary under the new statute; and these 10, 20, or 30 people, as the case may be, might for three years bind a whole parish if it had a population of 30,000. And that is what they call letting a locality deal with the question of licences. Why, good gracious! — does nobody know that everything of this kind is done by the United Kingdom Alliance —by the people who have their own meetings, and know how to carry out their own interests—and does anybody suppose that these meetings would not be so managed as to bring about the result to which I have alluded? But is such a state of things desirable, or would it be tolerated? What would the hon. Baronet and those who support him say if anyone should attempt to interfere with those domestic institutions they themselves valued and enjoyed? Suppose it is said that the hon. Baronet himself or his supporters shall not have certain clothes to wear or certain food to eat—what would the hon. Baronet say to that? He would at once say that that was not common justice. But, because it suits these so-called free-traders to say they have a right to tell me what I shall eat, what I shall drink, and how I am to be clothed, they imagine that they know better than I do what is best for me. Though I fancy I can judge for myself, these gentlemen desire to take the management of my domestic affairs out of my own hands. Again, we have been told that the hon. Member for Carlisle only desires to adopt, as he calls it, the principles of the present law. I believe, and am happy to think, that the hon. Baronet is not a practising lawyer, at any rate, or he would know that when he speaks of the principles of his Bill and his anxiety that it should be carried out in accordance with the common law of this country—or when he speaks of it as having anything in unison with the common law of the country—he is talking of a matter about which, as a layman, he understands no more than a child of three years old. Now, Sir, when the hon. Baronet read the statement which he made just now from some document, which he said emanated from the licensed victuallers, I was rather expecting that there would be some unusually strong denunciations against certain persons; but the language is quite temperate, and only at the same time a fair expression that they should have their rights and interests duly preserved, and that they should actually know who were the parties who supported them or otherwise. What I hope is that in the coming Election that party candidates will be obliged to say aye or nay to this question. That is what I should like men to have to do. I do not desire to find any man shirking from any duty which he has undertaken, but it is far better if he shirks at all, to do so before he comes into this House than afterwards. It is very desirable, indeed, that this matter should be fully understood, so that no one hereafter can complain of being kept in the dark. We are told again to-day that drink is forced upon unwilling communities. Where? When? Or how? Is it not true that any and every man in England, if he but exercises his own strength of will, can carry out the main principles of the

Permissive Bill in his own case, and not seldom in that of his own family also? But what is this that the hon. Baronet desires us to do but to force his Bill on unwilling communities? If this measure were passed it must be forced upon unwilling people, and it could only be carried out by the strongest possible power, for nearly the whole of the country would rebel against its being carried out. What would be the probable result if this Bill became law? Why, Sir, I venture to predict, if it were carried, the result would be that from end to end of England dissatisfaction and disquiet, and every possible annoyance would prevail until it was repealed. Now, Sir, the hon. Baronet has put it to us that his is a retrograde measure, and that he only came a very short way upon the line upon which other people were proceeding. I wish, Sir, the hon. Baronet had retrograded altogether. I do wish most sincerely he could see his way not to take up the whole of an afternoon with a Bill which has not the slightest chance of passing. He is taking up a part of that valuable time—small enough already—which private Members have for dealing with important questions. But, Sir, there is another matter to which he referred and which I must notice. He told us there were a class of persons called Good Templars—though to what Temple belonging, or why they passed by such a cognomen, I am at a loss to know—who desire to do away altogether with the manufacture, sale, and distribution of intoxicating drinks. Men may certainly call themselves by any name they like; but when we hear of persons of whom it is stated that their desire is to do away with both the sale and manufacture of intoxicating drinks, and then in the same breath we are told that this Bill is only opposed by fanatics, it is not we who are fanatics; but fanaticism may be possibly assigned to some of the hon. Member for Carlisle's supporters, or those whom he seems to consider are the supporters of this peculiar measure. When we hear that people who oppose the Bill are called fanatics, it seems to me that it is a mistaken idea, and if there be any fanaticism at all we at any rate are not the persons who should come under that denomination. Then we are told that the poor man is neither a saint nor an idiot. Well, so far as this Bill is concerned, there is no more harm in him than in a rich man. He possesses common sense, and his rights should be respected, and he should have liberty to buy whatever he desires to purchase. I say this is a poor man's question, and that care should be taken to protect his interests. Once more, Sir, let me now impress upon the House the necessity of dealing with the Bill as it stands word for word. Let any hon. Member who will vote either for or against the measure, carefully read its language, and study it section by section. If hon. Gentlemen will only do so, I do not hesitate to say, as it was said by another person many years ago —"It will please Providence to diminish the liking on further acquaintance." Sir, I beg to move that this Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Wheelhouse.*)

MR. J. G. TALBOT said, he had listened with great interest to the able and interesting speech of the hon. Baronet opposite (Sir Wilfrid Lawson), and was quite prepared to admit that the evil which he sought to remedy was one of great magnitude; but he could not at all agree in the means which he proposed to meet it. As a Chairman of Quarter Sessions in his own county, and visiting justice of the gaol of that county, he had the best possible opportunities for knowing how great was the amount of crime which was due to drunkenness; and from his experience on Boards of Guardians, both in London and in the country he also fully admitted that a great part of the pauperism of the country was caused by the prevalence of that vice. Nor did he deny that this was not a question of morality only—it was also a breeches-pocket question, because there could be no doubt that the burdens of the community would be infinitely lessened if drunkenness could be diminished. But then came the question how the evil was to be met. His own opinion was that if the law as it now existed was properly carried into effect much would have been done to accomplish the object which the hon. Baronet sought to attain. The subject did not now come before the world for the first time—if they would look back into the history of the world they would find that the question was a very old one. Ever since the days of Noah there had been drunkards, and there had been "abstainers" from the time of the Rechabites. Later, too, in the history of the Jews, there had been sects, he believed, such as the Essenes, who abstained from strong drinks; and in the earlier Christian Church there were bodies of persons who renounced the use of intoxicating liquors. There was, however, great difference between those abstainers and the abstainers of the present day, who proposed to effect their object not by persuasion, but by compulsion. Now, he would warn those who took that view that the English people did not like compulsion, and that the more it was attempted to drive them, the more obstinate were they likely to become. What, he should like to know was, the number of municipal boroughs or parishes in England in which on the requisition of two-thirds of the ratepayers the Bill could be brought into operation? Did the hon. Baronet suppose that any municipal borough in the metropolis would agree to a requisition to that effect? The teetotal movement was, he believed, rather powerful in the North; but what would be the result of the operation of the Bill even there, should two-thirds of the friends of the hon. Baronet be found ready to adopt its provisions? Why, in all probability that the attempt to put it into force would result in something little short of a revolution. No words would be strong enough, he believed, to describe the irritation which such a measure would create throughout the country. Indeed, he very much doubted whether the hon. Baronet had ever seriously contemplated what would be the result of the passing of his own Bill. Did he know that it would have the effect of shutting up every refreshment house in the district in which it was adopted, so that a traveller would not be able to get a glass of beer with his bread and cheese? But this was not all—because, as he would remind the House, the hon. Baronet and his friends were but the vanguard of an army advancing behind him. He had recently received a letter from one of his constituents who was a member of a Lodge of Good Templars, asking him to present a Petition from that Society, praying that the House would take steps for the total suppression of the manufacture and sale of intoxicating drinks except when used as beverages—which, he supposed, meant that they might be used as medicine—so that anyone who wanted a glass of gin or sherry could have it if he pleased at a chemist's shop; the only result of which state of things would be that intoxicating drinks might be had in an unlicensed instead of a licensed house, as at present; and as a near approach to this consummation he was requested by the writer to support the Bill of the hon. Baronet. It was clear, therefore, that if they passed this Bill this year, next year they would be asked to pass a Good Templars' Bill. He wished in the next place to point out that the duty of carrying out the provisions of the Licensing Act of last year rested with the Executive Government; and that if that had not been done the failure of the Act would lie with them. If the magistrates carried out the powers with which the Legislature had invested them a great deal might be done to improve the present state of things. Even two years ago, before the Licensing Act had passed, the magistrates of Luton, in Bedfordshire, found that the powers which they then possessed could do much in that direction, and they had accordingly issued the following notice:—

> "Any person who occupies or keeps any lodging-house, beerhouse, public-house, or other place in which excisable liquors are sold, or place of entertainment or public resort, and knowingly lodges or harbours thieves or imputed thieves, or knowingly permits them or suffers them to assemble therein, or allows the deposit of goods therein, having reasonable cause for believing them to be stolen, shall then be liable on summary conviction to a penalty not exceeding £10, and the Justice or magistrate before whom he may be brought may require him to enter into his own recognizances, with or without sureties, for keeping the peace and being of good behaviour during 12 months, and any licence for the sale of excisable liquors, or for keeping any place of public resort which has been granted to the occupier or keeper of any such house or place as aforesaid, shall be forfeited on the first conviction of any offence under this Act."

The result of that action of the magistrates had been that between 1868 and 1871 the decrease in crime in Luton had been from 365 to less than 200 offences. The magistrates had now still greater power, and a great deal might, therefore, be done without resorting to such legislation as the hon. Baronet proposed to effect his object. In an article in *Fraser's Magazine*, on "The Drink Traffic," written by Mr. F. W. Newman, it was said—

> "No magistrate in the kingdom—not one of those who force the shops on a reluctant public —sets one up side by side with his own house."

Now there could, he maintained, be no more unfounded charge than that paragraph contained, for as a licensing magistrate he could state that he hardly ever remembered any great demonstration being made on the part of the ratepayers against the granting of a licence, and he was sure if there had been such an opposition to it the licence would in all probability have been refused. He might further observe that the general tendency on the part of magistrates now was to grant no new licences except in new neighbourhoods; and the Bill of last year provided that no licence should be granted unless supported by the county Licensing Committee—so that there was a double check as things at present stood. He might add that in the western division of Kent hardly any new licences were granted at the last October Sessions; so that there was no truth in the insinuation that the magistrates were in favour of forcing public-houses on a reluctant people. He was far, however, from taking the *non possumus* line in the matter. He found that in Sweden, according to the Gothenburg system, it was a legal condition of a public-house licence that food should be procurable on the premises as well as liquor, and he thought that if it was made a provision in this country that there should be no drinking bars allowed where there was not also a supply of eatables procurable, more would be done to improve the sobriety of the people than by all the Permissive Bills in the world. He had the utmost sympathy with the object of the hon. Baronet, but he entirely repudiated the manner in which he proposed to carry out his views. The Bill, in his opinion, would either turn out to be a gigantic sham or would lead to such disturbances and strife in the country as would become absolutely intolerable. The evil of drunkenness was to be diminished, in his opinion, rather by education and other moral influences than by the adoption of an impracticable measure, and he hoped, therefore, the House would refuse to give its assent to the second reading.

MR. D. DALRYMPLE: When this question was before the House last year, the hon. Gentleman the junior Member for Derby (Mr. Plimsoll) was rather more fortunate than I happened to be in catching the Speaker's eye, and I had not, therefore, an opportunity of announcing to the House the change which had taken place in my views. But the speech of the hon. Gentleman answered every purpose that mine could have done — he completely fished my water, his experience was my experience, his facts my facts, his conversion was my conversion. I regret, however, that I did not then have an opportunity of speaking, because if I had given utterance to my altered opinions I might have escaped those interviews which I have had with some of my constituents during the past year upon this question. The hon. Member for Derby left some facts untold which I will now briefly state to the House, backing them up by some quotations from a recent charge by the Chief Justice of the State of Pennsylvania. The hon. Member last year alluded to the way in which the Maine Liquor Law was observed in Maine itself, and I will now afford some insight as to the state of things in Boston. In that City I could buy 300 different kinds of beer, wines, and spirits, whilst mineral water was limited to four different kinds. At my hotel a certain number of drink tickets were offered to me to be used as required; and that, too, in a city under the influence of the Maine Liquor Law. I saw whisky sold out of a bottle from behind the tail of a cart — thus showing that whisky is peddled like milk in Boston. The Chief Justice, Reed, referring in a recent charge at Philadelphia to the Maine Liquor Law, said—

> "He believed in moral suasion as the true means of advancing the temperance cause; but he did not believe in the prohibitory law which should reduce them to the condition of Boston."

I wish also to point out that in the State of Pennsylvania, within the last few weeks the question of prohibition or no prohibition has been decided, and only this morning a newspaper reached me containing the result of the voting upon the subject. In the year 1854 the majority in the State against prohibition and in favour of licensing was only 5,000. This year the majority against prohibition and in favour of licensing was 17,000; thus showing that in a place where the whole matter is debated with enormous interest there is an advancing opinion in favour of the liberty of licensing. Whilst I was in Philadelphia it occurred to me, one Sunday morning, between the services, to take a long walk away from my hotel. After I had walked three or four miles, wishing to get some luncheon, and seeing what was entitled an ice-cream saloon—the door of which was being constantly opened and shut—I entered, and found that ice-cream meant oysters, corned beef, pumpkin pie, and almost anything in the shape of drinkables one could desire. After the oysters, desiring something to drink, I asked for a glass of lager beer. "Oh!" replied the proprietor, "we never draw lager beer on a Sunday; but you can have a bottle of Philadelphia ale." After partaking of the "ale," I said—"I thought these houses were not open on Sundays!" The reply I received was—"That all depends. Did you find that door open, or did you open it yourself?" "I thought you were in favour of the Maine Liquor Law here," I added. "Yes, sir," was the reply, "we are in favour of the law, but we are agin' its enforcement." I am no lawyer, and do not pretend to understand law; but as I understand the Bill now before the House proposes it empowers a majority in a given district to decide whether licences should be issued or not. I hold that to be making a law; and I contend that it is not constitutional for the people of a district to act in such a manner. The people have the right—through their representatives in this House—to make laws for the government of the whole country, but they have no right to assemble in every locality and decide what shall be the law. This would be a direct violation of the constitution and practice of the country, and this is really the proper way to look at the matter. Supposing, when the proposal of the hon. Gentleman the Member for Northampton (Mr. Gilpin) comes before the House for the abolition of capital punishment, we were to vest the power in the hands of the ratepayers, and say that the punishment of death should be abolished where two-thirds of a locality desired it—that would be giving the ratepayers power to make laws; and it is just as reasonable to give them the power in this case as in the question of licensing, which, if it means anything, means confiscation, and nothing more or less. I have now to ask the hon. Baronet the Member for Carlisle whether or not absolute prohibition does not underlie his Motion to-day? The hon. Baronet does not give me an answer, and I am, therefore, entitled to say that entire prohibition does underlie the Bill; and the hon. Baronet does not like to say so, I maintain that the most active agitators—those who very intelligently and industriously and profitably go about the country distributing their books—have asserted in so many words that total prohibition is what they wish to see. I would much rather that it should be so, because it is infinitely more honest and straightforward to assert what you are going to do—that which lies at the bottom of your movement—than to promote a measure under false colours which is so unequal and unjust, that it will deprive a poor man of the opportunity of getting what he believes he really wants, or what he requires as a luxury, or both, while you leave the rich man in the enjoyment of those luxuries. Absolute prohibition would at all events seem to affect all parties alike; but the alternative is so unjust, it is so unequal, and so fatal to the measure itself, that I will not follow that point any further. But I will assume prohibition is intended, and that that will be the ultimate result of this Bill if it is carried. Well, then, I assert that the principle of prohibition has already been tried in this country and that it has failed, and most signally failed. The hon. Member for Kent (Mr. Talbot) said this question was as old as all history. I will go back as far as the year 1736 and read a few lines from Porter's *Progress of the Nation*, which is a very valuable book and a good reference on matters of this kind. The Bill of the period I allude to was aimed distinctly at the drunkenness of the poorer classes. In that Act it set forth as a reason for its introduction that the consumption of spirituous liquors among people of inferior rank had greatly increased. That Act was passed, and in less than two years from its passing the offences against the law increased so largely that no less than 12,000 people were convicted for different offences under it, and £600,000 was levied in the shape of fines within the bills of mortality alone. The Act, which was intended to diminish drunkenness, and which really was prohibitory, imposed a sum of 20*s*. a gallon on all spirits, and £50 upon every person who retailed them. I am sure, Sir, the House will agree with me that such a duty as this was in reality prohibitory when the relative value of money is considered. But did it do so? Did it diminish drunkenness? Did it diminish the consumption of liquors? Again I will refer to Mr. Porter's work. He says the evidence that was given before the Committee in 1743 showed that the quantity of spirituous liquors in 1736, the year the Act was passed—10,500,000 gallons—rose to 19,000,000 gallons. That was the result of the Prohibitory Act. Again, that Act had a clause analogous with the present Bill, to prevent the poorer classes from obtaining drink, and whilst it prohibited brewers and distillers from supplying public-houses, it enabled all rich persons who could brew and distil for themselves to make as much drink as they liked for themselves. Now what happened was this, that universal dissatisfaction was expressed, and in the year 1743 it was found necessary to repeal the Act. And why? I will refer you to a speech made in that year by a noble Lord (Lord Cholmondeley) who expressed the discontent with which the Act had been received out of doors, and remarked that the Act had been allowed to pass without any strong opposition, the fact was that no man would observe the law, and that such a turn had been given to the spirit of the people by the Act that no one would be found to lay an information. The result was that rioting took place, the troops were ordered out, and thus bloodshed was avoided. Another noble Lord (Lord Carteret) spoke strongly in opposition to the Act, and said it would be impossible to execute the law except by military force, and that he would never consent to that. No more will I; no more will the House of Commons; no more, I believe, will the hon. Baronet the Member for Carlisle. That is not to be the manner in which this Act is to be enforced; and yet I have great fears, although an advocate of temperance, that it will be impossible to enforce this law upon the country without riot, rows, and possibly bloodshed. I maintain that with such a lesson before us the House is bound to pause before we give our consent to any Bill which leads, however indirectly, to absolute prohibition. I maintain that it is impossible for the House to pass this Bill without committing a gross violation of the constitutional rights and liberties of the whole of the people, and we are bound to pause before passing it, because we cannot conceal from ourselves or shut our eyes to the fact that what is called a ratepayers' question is in point of fact the people's question wholly and entirely. It is not enough that the ratepayers should be consulted in this matter, but we must consult every man, woman, and child throughout the country; it must be a *plebiscite.* Everyone believes more or less that he or she requires some kind of stimulating drink. Therefore if you consult any class you must consult the whole of the population, and do not let people go about and say this is a ratepayers' question, and leave it simply to that class, for that is what this Bill proposes to do. I have no great desire to stand up for Bishops in the abstract — and it certainly is not necessary for me to stand up for such a concrete specimen as the Bishop of Peterborough. That right rev. Prelate has, however, been very much abused for having given vent to an expression that he preferred to see England free to England sober. I much fear that the right rev. Prelate fell a victim to the love of antithesis. Though his Lordship put it in that form, what he meant was, that England compulsorily sober by Act of Parliament was not England free. I shall be asked how can you, who have so long set yourself forward as an advocate of temperance, who have so long set yourself against the vice of intemperance, and who have laboured to mitigate some of the evils of excessive drunkenness, come forward and give vent to such sentiments as these. I know what is in store for me. There is a celebrated historical character—Regulus—who got into great trouble with his people. He was put into a tub, not filled with liquor, but with something more tormenting; but even he must have had a quieter time of it than those who year after year are called upon by the contending parties to give a vote upon this measure. In 1869 I voted for the measure, with the view of sending it to a Select Committee, and I cannot help thinking, at the end of five years' agitation, that that would have been the best course to adopt, because I believe that a great deal of the misty envelope in which it is shrouded would have been swept away, and daylight would have been thrown upon the subject. I am about to give a vote exactly opposite to that which I gave in 1869. It is because I am an advocate of temperance—because I am a hearty worker in the cause of temperance—that I intend to reverse my vote, and give on this occasion a perfectly well-considered, matured, and conscientious vote for the rejection of this Bill.

Mr. B. SAMUELSON: I have been much struck by two remarks which have been made by hon. Members in the course of this debate. One remark fell from the hon. Member for Bath (Mr. D. Dalrymple) who spoke of the riots which would ensue were any attempt made to enforce the Permissive Bill in the country. The other expression was one which fell from the hon. Member for Leeds (Mr. Wheelhouse) who, using an euphemism, described the drunken habits of the country as "domestic habits." Now that expression reminds me very much of another institution—the institution of slavery—which the House will remember was also spoken of as being "a domestic institution." I think it is disgraceful that we in England should be able to speak of the drunken habits of the people as domestic habits, the same as in past times it was a disgraceful thing to speak of the institution of slavery as "a domestic institution." Now, with regard to the riots which it is said may be expected to arise from the enforcement of the Permissive Bill, I beg leave to call the attention of the House to the fact that already a state of things exists which causes riot and disorder. Two days ago I happened to enter a police court in one of our large north country towns, and in one division of that court, on that one morning, 194 men, women, and children were brought up for having been guilty of riot and drunkenness, and this was exclusive of cases in which riot culminated in actual violence, and also exclusive of cases of simple drunkenness. I do not believe—I do not know whether the hon. Baronet believes—and I do not suppose any other hon. Member of this House believes—at any rate, very few entertain the opinion—that the Permissive Bill will ever become the law of this country; but I think we are much indebted to the hon. Baronet for bringing it forward year after year, if for no other reason than as a protest against the pernicious habits which prevail in this country. I regret very much that we have no power enabling us to diminish the number of public-houses. I think this is a matter which must be dealt with sooner or later. It is for this reason, though I cannot support his Bill that I hope the hon. Baronet will bring it in time after time until some plan is found and accepted for giving to the ratepayers some control over the number of licensed houses that are to be allowed to exist. There is, however, one reason why I cannot vote against this Bill, and that is the course pursued by the Licensed Victuallers Association, which would actually stop our mouths and not allow us to speak our minds freely, lest by doing so we might prevent a division and prevent them from labelling us for their convenience at the next election. The political opinion of this country should rest on higher grounds than the support of a monopoly of licensed victuallers. These gentlemen boast that they are powerful and united. I have no doubt they well know where to get the best legal opinions. They have taken advice and know how far to go without trenching on the privilege of the House. Yet I doubt very much whether they have not gone rather too far when they tell us to vote at once on this Bill and not make speeches on the subject. They say—"Do not let there be any delay, but force a division, that we may know who have voted one way or the other." Well, Sir, I think, these gentlemen should be taught that they are not to dictate to us or to tell how long we are to speak. I do not so much blame the supporters of the hon. Baronet for any pressure they may have used, for we must remember that there is this distinction between them and the representatives of the licensed victuallers, that what these persons have done has been done in the public interest, whereas what the publicans are doing is in the interest of their own pockets. They are trying by combination to exclude all from Parliament who are not on their side, but I think they have drawn the cord too tight, and will defeat their own ends.

Sir HENRY SELWIN-IBBETSON, while complimenting the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) upon the able, temperate, and amusing speech he had made in introducing the subject, said, he agreed with the hon. Member for Banbury (Mr. B.

Samuelson) that they all deprecated the question being made the foundation of political strife. The hon. Gentleman, however, should remember that those whom he blamed were only following the course which had been followed by the supporters of the Bill. The policy of those who fancied themselves the advocates, and only advocates of temperance, had been from the beginning one of aggression, and they announced that they were ready to expend large sums to oppose the re-election of those hon. Members who opposed the Bill. Under these circumstances, he thought some little excuse must be made, for those who adopted the same policy in opposition, though, perhaps, impolitic on their part. They had heard from the senior Member for Bath (Mr. Dalrymple) that his experience in America of the Maine Liquor Law merely pointed to the fact, that in a country where the prohibitory law had been tried for some time, there, in the strongest possible way, that law was set at nought, and the result of it was that they had drinking combined with falsehood and hypocrisy. The hon. Baronet (Sir Wilfrid Lawson) laid immense stress upon the enormous increase in the consumption of liquor throughout the country; but he had forgotten to tell the House that during the last year, perhaps more than in any other period of our history, the prosperity of the country and the general increase of wages had contributed almost entirely to the result pointed out. That was a very important fact to be taken into consideration on the present occasion. The hon. Baronet (Sir Wilfrid Lawson) further complained that prosecutions for adulteration under the Act of last year had not taken place; but might it not be, in charity, believed that the cry about adulteration had been a very exaggerated one? The hon. Baronet (Sir Wilfrid Lawson) also said, that this was a citizen's question, and that the "swells" combined with the publicans were opposed to the movement; but the fact was, that many gentlemen believed that there were many things in our law which required a remedy, and were prepared to vote for anything reasonable in this direction. He designated the opponents of the Bill as fanatics; but fanatics existed in all classes, and even the temperance people were not altogether free from fanaticism. The Bill provided that two-thirds of the ratepayers of any district should legislate for the other third, without their having a vote in the matter at all. If the measure were carried, we should thus be placed in a perpetual system of disturbance and riot, in consequence of the energetic action which would be taken first by one side and then by the other upon this question, either to shut up public-houses or to re-open them after they had been closed. It would, besides, have the effect of placing the trade in a state of such jeopardy, that no one would risk any amount of capital in it for the future, and it would fall into the hands of a far less respectable class of men, who, reckless of the consequences, would not much care how they carried on their business, and would give none of those guarantees for order which the investment of a large capital afforded. He wished also to point out that the Bill would affect for the most part those places where it was least needed—those places in which the majority of the inhabitants were in its favour—and that its tendency would be, while prohibiting the sale of liquors in the best localities, to cause an influx from them of those who desired to indulge in intoxicating liquors into the neighbouring districts. Therefore, he believed the measure of the hon. Baronet would rather tend to exaggerate than to improve the state of things of which complaint had been made. He did not wish to avoid a division, and, therefore, would not detain the House; but he trusted that the House, by its vote that day, would say that they would not have that Bill constantly before them. He hoped that that year, hon. Members would not vote for this measure upon the ground that they thought no harm would be done in that way, because the measure was one that could not pass; and in his opinion, such a Bill should not be brought forward by a private Member, when it was hardly likely that such an alteration could be effected at the instance of a private Member.

MR. OSBORNE: I am anxious to say a few words, because hitherto I have abstained from taking any part in these discussions, or voting on the Bill—not, Sir, because in the words of my hon. Friend opposite (Sir Henry Selwin-Ibbetson), I was anxious to shirk responsibility, but because I thought it right, after the promise of Her Majesty's Government to revise the whole licensing system, to give them the opportunity of doing so before taking any part in this question. Now, Sir, Her Majesty's Government last Session brought in a Bill which effected a total revision of the licensing laws; and, Sir, I was in hopes that a fair trial at least would have been given to that revision, and that my hon. Friend the Member for Carlisle would have abstained—at least for a time—from any further agitation on this subject until we had learned something more definite by experience as to the working of that Act. But I have been undeceived upon this point. In common with the other hon. Members, I have been saturated with literature; and this morning, if I had any deception practised upon me in thinking there would be an absence from agitation by the part the Government have taken on the subject, it has been utterly removed. I have received, among numerous other lithographed letters, one headed "The Permissive Bill," in which it says—

> "This Bill applies alike to England, Scotland, and Ireland, is promoted not as the rival of any licensing measure which may be submitted to the House, but as an indispensable supplement without which no licensing scheme whatever will satisfy the demands of the people of this country."

This, Sir, is signed by—the only name I can make out seems to have been written not under the influence of tea at any rate—"Wilfrid Lawson." There is no doubt, whatever may be the course taken by the Government, of whatever party in this House, that nothing will satisfy this respectable body of men but the Permissive Bill, totally prohibiting the sale of all spirituous liquors. What, then, is a man to do under such circumstances as these? The Bill, I think, leaves no option to one who is favourable to freedom; and not freedom to the licensed victuallers alone, for this is not merely a licensed victuallers' question, no more than it is a teetotaler's question, but it is the question of the liberty of the people of this country, against which this Bill, I take upon myself to say, strikes a fatal blow. I will not yield to my hon. Friend the Member for Carlisle, whose single-heartedness of purpose I am the first to do justice to—I will not yield to him in the wish to see eradicated the propensity for drink which unfortunately manifests itself in this country—and not merely among the lower but among other classes as well; but I believe that the clauses put forward in this Permissive Bill are not only insufficient for their purpose, but that they are likely to create a secret demand for drink. I look upon it, not only as likely to bring about this result, but as an act of spoliation upon a most respectable body of men who have been invited by the express acts of this House to invest their capital in a trade; and it involves a great blow and an infraction of the liberty of a great body of the people. My hon. Friend's first provision is so monstrous that I wonder he finds any body of men to support him in the numbers they do; but he has had notice to-night that many Members mean to take the prudent, if fanatical, course of staying away. One of the most extraordinary speeches delivered to-day has been that of the hon. Member for Banbury (Mr. Samuelson) who after attacking the principles of the Bill—after attacking in language, which will be remembered hereafter, the licensed victuallers, who are as respectable a body of men as any other body in the country—said he was going to take up his hat, walk out of the House, and stay away. Is such conduct as that worthy of any Member representing the historic town of Banbury? Now what is the first provision I find in this Bill? It actually has the face to propose that two-thirds of the inhabitants of a district shall have the power to deny any beverage they dislike to the remaining one-third. [Sir WILFRID LAWSON: Ratepayers.] Yes; and why should it be confined to them; have not non-ratepayers eyes, ears, and tastes? and why are they to be put entirely at the mercy of the ratepaying population? I am obliged to the hon. Member for correcting me. What would be said if two-thirds of the ratepayers of a district, being Protestants, were to take exception to the Catholics eating fish? There is nothing so ridiculous but what you may get up a body of men to propose it, and real fanatics in liquor and in religion seem to be equal to anything. Suppose the Protestants were to take upon themselves to say that their Catholic fellow-subjects should live on a meat diet in Lent, and should not be allowed to eat fish? Ridiculous as that may seem, it appears to me just as likely as that two-thirds of the population of a district shall say that the remaining one-third shall not be able to drink a glass of beer because it does not agree with them. I might go further in the argument *ad absurdum*. A great many physicians hold that a favourite beverage called tea is a fruitful cause of nervous disease among the people of this country, and a pamphlet has been published to show that tic doloreux and many other complaints have been promoted by the great use of it. Suppose I were to get up an anti-tea-drinking society, and bring in a Bill to say that on the vote of two-thirds of the inhabitants of a district tea shall not be permitted to be sold, on account of the nervous disorders which result from its use. That really is not a bit more ridiculous than the provisions of this Bill. It has been said by some one that after all, the intemperance of a country depends upon its latitude; and I think it will be proved to be so. The hon. Baronet the Member for Fife (Sir Robert Anstruther) will remember that a few years ago his countrymen the Scotch were in the habit of imbibing strong waters to great excess. If the habit has decreased it is in consequence of the spread of education. After all, the great rival of the public-house is the reading-room, and that is the only means by which you can reach indulgence in intemperate habits. I will give you an idea of the result of this compulsory legislation. Last year we passed a Licensing Act, by which we compelled people—not to go to bed, but to close public-houses at 11 o'clock; and what have we produced? In some of the large manufacturing towns it has given rise to a system of what are called working men's clubs; and what do they do? They may serve liquor and gamble at all hours of the night and day; and on Sunday, when the public-houses are closed, these clubs are in full operation, consuming spirits and beer. This is a very serious consideration. Some of these clubs exist in Sheffield. I do not see the hon. Member for Sheffield (Mr. Mundella) in his place—I am told he is going to take the unpatriotic and unphilanthropic course of walking away when the division takes place. I had hoped he would have given us some account of the drinking which goes on in those clubs, which are not under the supervision of the police as public-houses are; and I believe the effect of this restrictive legislation has been that a system of drinking is going on which we do not see, but which exists in greater force than it has ever done before. We hear a great deal of exaggeration about the drunken habits of the people. My firm belief is that there is a great improvement in this respect. The hon. Baronet the Member for Carlisle quoted Smollet, the historian, as to the law of 1794, which prohibited distilling. Does he go so far? Why, if he is so intent upon this, does he not go as far as the Good Templars? The Good Templars are logical in their conclusion—they do not merely say that it is a crime to drink, but they say "Prohibit distillation altogether." Now in that year, 1757, which would be the millennium from the hon. Baronet's point of view, and in the year after, there were more prosecutions for illicit distillation than has commonly been known at any other time in the annals of this country. Drinking will not cease to exist because you cease to see it, and the hon. Member's Bill would, I believe, promote a system of secret drinking in this country, which only exists now to a small extent. When my hon. Friend speaks of the increase of the drinking habits of the country, let him see what is the opinion of the First Minister of the Crown. He said not long ago that—

> "All the evidence before me shows, as far as it goes, that the consumption of spirits, except when wages were high, was not as great as it had been, and that so far drunken habits were perceptibly decreasing."

It is the fashion to say that all crime is the result of drinking. I dissent from that altogether. I have taken some pains with this subject, and should like to quote a passage from the Report of the Inspector of Convicts in 1864, which is remarkable as to the increase of crime. He says—

> "Experience goes far to show that it is female influence exerted in some way or another, and not, as is often supposed, intoxication, which is the occasion of so much crime."

This is the opinion of Her Majesty's Inspector of Convicts—but would the hon. Baronet support me if I brought in a Bill which should provide that no women under a certain age should be permitted in any district if two-thirds of the inhabitants objected to their presence? Hon. Gentlemen who have any experience of the world know very well that it is not drink alone which leads men into mischief. Here is the evidence of the Chairman of the Quarter Sessions in Cheshire, Sir Henry Mainwaring, who, in charging the grand jury the other day at the April Sessions, said that the number of convictions for drunkenness was very great; and no doubt, he observed—

> "Drunkenness was a great source of crime, but he did not think that the increase of crime was to be attributed solely to drunkenness; he believed a great deal of crime was attributable to the cheap literature and those scandalous books which were now so freely circulated."

Will the hon. Gentleman be willing to exclude newspapers from a district if two-thirds of the inhabitants desire it?—because, to be consistent, if he is determined to make us virtuous by Act of Parliament, let us have this paternal system of government, which always ends in pure despotism, if extended. This is not the first time in the history of the world that the permissive system has been tried. We have had—and we should never forget it—a trial of the true puritanical principle, which nearly reduced this country to rebellion when it was first enacted in the time of the great brewer of Huntingdon, and which was followed by a reaction in which this country was flooded with profanity, obscenity and drunkenness. That would happen again, if the country places itself under the feet of two-thirds of the population, as is proposed by this Bill. I may be imperilling my seat by what I say; but I care not for that—I hold that as nothing when the truth is at stake—and I believe it would be an evil thing for this country if ever we should begin to legislate upon this mischievous principle. I was sorry to hear my hon. Friend the Member for Bath (Mr. Dalrymple) misquote some observations made by the Bishop of Peterborough—or rather quote only half of them. What the right rev. Bishop said was, that he would sooner see England free than sober; but he added that he said so for this reason—"If you could ensure liberty, the chances of sobriety would be much greater." Sir, for these reasons I shall give an unhesitating vote against the mischievous Bill of the hon. Gentleman, and—I say it with the greatest courtesy to the hon. Baronet, whose speech I heard with admiration—I shall oppose him to the best of my ability.

Lord CLAUD HAMILTON: Sir, the hon. Gentleman who has just sat down (Mr. Osborne) has told us that he sits for an Irish constituency, and that Irish feeling is against this Bill. Now, Sir, I sit for a large Irish constituency, and I believe that there is a strong opinion in favour of it in Ireland. The hon. Gentleman must forgive me if I tell him that I do not think this is a question suited to levity. I hold an entirely contrary opinion to him with reference to Ireland, for I am sure this Bill is looked upon with great interest. What is the meaning of this Bill? Its objects can be seen on looking at the Preamble—it is to diminish drunkenness and intemperance. I presume that throughout this nation no one will stand up as an advocate of intemperance, and that there is no one in this House who does not wish to see drunkenness diminished. Now, Sir, to show that this evil does exist, let me for one moment refer to one or two expressions which have fallen from the lips of men who have a considerable knowledge of their countrymen. The first I will quote is the name of the right hon. Gentleman the Member for Birmingham (Mr. Bright), who I regret not to see in his place to-day—I apprehend that a large section of this House do consider him to be a great authority on matters connected with the habits and feelings of the people out of doors. He made this remark, that there was throughout the country a great deal of ignorance, poverty, suffering, sickness, and crime, through the prevalent habit and vice of drunkenness, which destroyed both the body and mind, and brought misery to the homes of thousands of families, and that the country would be so changed for the better if there were not this amount of drinking that it would be almost impossible for any one to recognize it. Then, Sir, we have the testimony of the right hon. Gentleman opposite (the Home Secretary), who acknowledges the evils, and admits that our Judges, magistrates, governors of gaols, Inspectors of police, and every one acquainted with criminal cases, and connected with the administration of the law, concur in the opinion that the greater part of the crime and misery in the land is to be attributed to this curse of intemperance. It is a source of a nation's weakness, and we should strike at the root of this great national evil. The right hon. Gentleman has fully concurred in all these sentiments. But how is this Bill met? Why, we are told that if this Bill were to pass we should inflict a grievous injury on those engaged in the trade, in which about 100,000 persons are engaged; and that if Parliament interfered 100,000 families would be deprived of the means of existence. Now, Sir, if there is this large number of persons employed in the trade, I think that it only shows there are a far greater number employed in it than is wholesome for the country. Hon. Members call upon the House to respect these vested interests of intemperance in preference to the welfare of the people of England. The hon. Member who has just sat down (Mr. Osborne) used the word spoliation; does he mean that it is spoliation to destroy the power which leads to the demoralization and degradation of the people? Surely the people have a right to say whether they want these public-houses or not? But according to the arguments which we have just heard, the British public are to have forced upon them an abundance of gin-palaces and beer-shops, which they do not want, in order to maintain the vested interests of those who have embarked their capital in this trade. Now if this is what is meant let it be boldly stated, and put plainly before the people, so that they may understand the cause of the opposition to this Bill. Well, Sir, I apprehend that it is not necessary to point out the amount of miserable destitution which results from the use of intoxicating drinks; or to demonstrate that if the consumption were decreased or done away with, there would be a great increase in wealth from the better habits of the people. This would be invested in other and more productive undertakings, so that there would be abundance of labour for those who are now engaged in the liquor trade. But, has Parliament always refused to interfere with trade? Why, Sir, in times past it has legislated without any tenderness to the interests of trades. The outcry against such legislation is an old one. There are many of us who will remember what a cry there was against railways. It was said that roadside inns would be entirely ruined by them, and that the rights of those who had invested capital in posting establishments and stage coaches should be respected; but yet Parliament did not hesitate to establish them. Now, it is only when intemperance is to be maintained that Parliament shows its delicacy in interfering with those engaged in the liquor traffic. We are told that we must not look at intemperance as an evil, and that it is the peculiar right of certain people. I am not now going into an argument on this question, or to deal with the details of the scheme now before the House, but the main principle of the Bill is that those who suffer from the existing state of things shall have by their vote the power of checking it themselves. That is the principle which we wish to adopt, and that is the principle which hundreds of thousands of persons in this country desire to see carried out. The number of Petitions which have been sent in from all parts of the country shows how deeply this subject is regarded throughout the country. But we are told that we are not going to give every one a vote, and one hon. Gentleman remarked that if this principle was to be fully carried out, every man and woman in the country should have a vote. All I can say is, that I would very gladly have this subject left to both men and women, for I am sure if we gave female suffrage in regard to this question that they would, by a large majority, vote against this system, which breaks up so many households and destroys the comforts of so many families. My hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) does not, however, make this a question of universal suffrage, but he proposes that the ratepayers' voice should decide whether public-houses should be permitted or not. These are the very best persons to decide this question, for are they not those who suffer most from the effects of intemperance? Do they not have to pay the poor rate and for the maintenance of our gaols, workhouses, and lunatic asylums? They have a direct interest, I say, in this matter. The ratepayers are taxed largely to maintain our public institutions, which are mainly filled by the effects of drunkenness. They have thus to pay for intemperance, and yet they have no voice whatever with regard to licensing houses which do so much evil. I concur in the principle that those who pay should have the power of voting and some voice in the matter; and I am perfectly astonished to hear hon. Gentlemen now say that this is a new principle, and one which is contrary to the usual legislation of the country. Sir, the permissive principle is in practice now, that is, licences are permitted under certain conditions. What we ask is that the power of permission should be taken out of the hands of a few rich landlords and justices of the peace who may be brewers and distillers themselves, or may be connected with them, and that it should be invested in the ratepayers generally. There are now many more public-houses than there should be, and I say again that the control of them should be left in the hands, not of this class, but of the ratepayers, who should certainly have something to say about it. That I consider to be the main principle embodied in this Bill. I am really surprised that a Gentleman possessing the great talents of the hon. Member for Waterford should use such extraordinary arguments—I may say absurd arguments—against this Bill. He has actually been obliged to conjure up an imaginary agitation against the use of fish and tea in order to deter hon. Members from voting for this Bill. Can he seriously intend to maintain that wide-spread crime and misery have ever ensued or even could arise from the use of those articles? Aptitude of expression and amusing phrases are not argument against this Bill. I look on his speech as being so deficient in reasoning as to afford one of the strongest arguments that could be made in favour of the Bill. Houses for the sale of liquor have been so unduly multiplied that adulteration has been resorted to in order to secure a profit, and the public are cheated in consequence. It has been said that if the Bill is passed the country would soon be in a state of riot from one end to the other, and that the military would have to be called out. I hardly know how to answer such an extraordinary statement as that, but it seems to me that if the majority of the residents of a district passed the Bill they would be quite capable of maintaining order and quiet in the district. For the hon. Gentleman who said he had been converted against the measure I am truly sorry. I believe that the public mind is getting every year more and more in favour of the Bill; and, while thanking the hon. Baronet for his perseverance and courage in again bringing it forward, I am very happy to have an opportunity to add my testimony to his in its favour.

SIR ROBERT ANSTRUTHER said, that in 1871, on the withdrawal of the Government measure, he gave a vote in support of the Bill of the hon. Baronet the Member for Carlisle; but upon a very careful review he had come to the conclusion that that was the very worst vote he ever gave. That vote had been a constant source of trouble to him. Many of his constituents had supposed him to be a supporter of the hon. Baronet, and he had reaped thereby a great deal of glory and credit—for which he was sincerely thankful, but which he did not deserve. The more he looked at the Bill of his hon, Friend, the more he was convinced that it was totally unworkable in its character. It had been already exposed as being grossly unjust, inasmuch as it made no proposal whatever to compensate those interests which it was the object of the Bill to destroy. Moreover, he thought he could show, and the hon. Baronet, as a candid man, would admit, that in places where the Bill would come into operation, it was not wanted, inasmuch as there could not be much drunkenness in a place where two-thirds of the population would vote for such a measure. So far the Bill was needless. Then, in places where two-thirds of the ratepayers would not vote for stopping the liquor traffic, the Bill would not come into operation. In whatever view, therefore, this Bill was regarded—whether in the view of a sober place adopting it, or a drunken place refusing to adopt it—it was manifestly a Bill that could not work. He admitted at once that if he were called upon to vote for the speech of the hon. Baronet, he would vote for it directly; but his speech had nothing whatever to do with his Bill. The hon. Baronet had made some extraordinary statements in his speech, but they were not in his Bill. The hon. Baronet said that this Bill would suppress the liquor traffic, and that it was the only Bill which could do so. But he had shown that it would only suppress the liquor traffic in places where there was very little of it, and in places where there was a great deal too much the Bill would have no operation at all. The hon. Baronet had said that if this Bill passed, licences would by it be granted for the benefit of the public, and not for the benefit of the individual, He (Sir Robert Anstruther) failed to perceive one word in the Bill which would indicate that the licences granted under the Bill would be for the benefit of the public and not of individuals. Either there would be no licences at all or they must be granted for the benefit of individuals. This Bill gave no choice at all as to reducing the number of licences and absolute prohibition. Common sense must point out that it would be much better to allow people to diminish the number of licences; but the hon. Baronet, finding that too much drinking was going on in any place, would not allow them to reduce the number of licences by two or by 10; he would sweep away the whole. He (Sir Robert Anstruther) put it to the House whether that was a practical way of dealing with the subject. The hon. Member for Waterford (Mr. Osborne) had made some reference to Scotland, and said he believed there was a great deal too much alcoholic drink consumed in that country. Unfortunately it was impossible to deny that fact. The hon. Baronet who brought in the Bill remarked that the Government Licensing Act did not include Scotland. That was true; but at the time the Scotch Members protested against Scotland being excluded, and he deeply regretted that the Home Secretary and the Lord Advocate did not arrange between them to frame such clauses as should have included Scotland in that Bill. But though there was much drinking in Scotland, there was also a good deal of temperance, and many Petitions from Scotland had been presented in favour of this Bill, and the Home Secretary was urged last year from all parts of Scotland to bring in some measure which should include that country. The hon. Member for Waterford had said, that the drinking of a country was a question of its latitude. He (Sir Robert Anstruther) admitted that in cold countries the population drank a great deal more than in warm ones. In consequence of the Report of a Committee of the Diet of Sweden, legislative action was taken. They did not pass a permissive Bill, because living very far North, they knew very well that such a measure would have no practical effect. The Bill, however, which was passed by the Swedish Diet, entirely altered the basis on which the licensing laws of that country were placed. In Gothenburg a company was formed to purchase all spirit licences, and it had a very remarkable result. The population was about 57,000. The company raised a capital of about £11,000 only, and they purchased all the spirit licences which were not held by grocers or hotel-keepers. They appointed a board of trustees, who, under the sanction of the Governor of the province, issued licences, and the result had been a most remarkable improvement in the habits and morals of that town. The financial result—which was of considerable importance—had been this. They expended in 1871 £29,000, and what they purchased was sold for £45,000. The expenses of rent, depreciation of furniture, inventories, &c., amounted to £5,000, and there was a clear profit of £10,000 (upon an original capital of £11,000) accruing to the trustees, the whole of which was applied in relief of the poor rates. There was ample evidence that the results in a moral as well as in a financial point of view had been of the most satisfactory kind. It occurred to him that what could be done in Sweden could be done in Scotland, and he had it in contemplation, with some hon. Friends, to consider whether they could not introduce some measure which would give the same powers to the trustees of each parish or burgh in Scotland as had been given to the town of Gothenburg. He might be allowed to say that the Diet of Sweden had given the most convincing proof of the satisfactory nature of the measure, because two months ago they extended the powers which the company possessed, and now they might purchase the grocers' licences as formerly they purchased the public-houses. As regarded Scotland, he was sorry to say that owing to the immense quantity of spirits consumed there, the profits would probably range from £100,000 to £200,000 a-year—reckoning the average consumption in Scotland at two gallons a head, and the selling price at 20*s*. per gallon. The hon. Baronet who had introduced this Bill remarked that in his Budget speech the Chancellor of the Exchequer said that an additional sum of £1,300,000 was last year spent on drink in this country. He (Sir Robert Anstruther) concurred with him in lamenting that such should be the case; yet if they were to spend such an amount of money as that upon drink—which was a fact that, at all events, all must regret—the best they could do, as practical men, was to turn that to some account, and adopt in Scotland the same course that had proved so advantageous in Sweden. Mr. Carnegie in his pamphlet estimated that in the City of Glasgow a sum of about £500,000 would cover the market value of all the public-houses, goodwill, fixtures, &c., excluding the hotel and grocers' licences. He apologized for having introduced this subject to the House; it was, however, a matter of very great importance, and he hoped the debate would not be without some result.

MR. MUNTZ denied, not only that all crime, but that the major part of it, arose from drunkenness:—he thought the contrary to be the fact, and that instead of its being true that drunkenness brought on almost all their crime, in the majority of instances a lapse into vice or crime brought on drunkenness. Neither could he admit that any majority—ratepayers or any others—had a right to impose any law they pleased or to inflict persecution upon the rest of the community. Many persons objected to smoking—why should they not apply for a Permissive Prohibitory Bill to put down tobacconists shops. They were all agreed as to the evils of excessive drinking and the desirability of putting a stop to it, but no one of the advocates of the Bill had shown how it was likely to bring about that result. Last year the hon. Member for Derby (Mr. Plimsoll) showed them that the Maine Liquor Law was ineffectual to prevent people from obtaining wine or spirits in any quantity they wished, and what had occurred in Canada was not more encouraging. Seven years ago the Legisture of Canada gave power to the majority of the town councils, with the assent of the ratepayers, to suppress the liquor traffic of their localities; but from that day to this the law had never been adopted by a single town in the country. Having previously looked upon the present Bill more as a standing protest against drunkenness than anything else, out of respect for its author he had never voted for nor against it. But circumstances had now greatly altered. The new Licensing Act passed by the Government, although imperfect in some respects, was on the whole a very valuable measure; and it was only reasonablo that it should receive a fair trial. On this occasion, however, the advocates of this Bill had adopted a very singular method of pressing it on the House, and he had received letters urging him "as he valued his immortal soul, to vote for Wilfrid Lawson's Bill and do his duty to his constituency and his God." When the supporters of the present Bill out-of-doors threatened to set the constituents of hon. Members of that House against them unless they voted for the Permissive Bill, and appealed to them to vote for it as they valued their immortal souls, it was time for hon. Members to declare their opinions without hesitation. He therefore thought it his duty to say, and to say at once, what he meant to do. He meant to vote against the Bill. The Bill could not possibly work. The Bill would destroy vested interests valued at £100,000,000. They could not, surely, confiscate the property of the publicans, but must give them fair compensation. It was idle to say that, inasmuch as the licences were annual, there would be no injustice in taking them away; because many of these houses had been occupied by a man and his forefathers for 100 or even 150 years; and the fact that the licence was renewable from year to year was only intended to operate as a check upon the holder and a guarantee that his house should be properly conducted. If, therefore, they once confiscated these vested interests, hon. Gentlemen might depend upon it their own property would not long be safe. Licensed victuallers themselves had a year or two ago made a suggestion which was deserving of consideration—namely, that an increased licence duty might be levied, and the surplus thence arising applied in buying up the worst description of houses, leaving the town councils of boroughs to say whether new licences should or should not be granted. A great deal could be done by example to encourage temperance. It was not so very long ago that drunkenness prevailed among our higher classes, and it was thought almost an insult to one's host to go away from his house sober. Education was now rapidly spreading among the working classes, and there was no reason why in the next half-century drunkenness might not largely cease among them.

SIR DAVID WEDDERBURN said, he had always voted for the second reading of this Bill as a Scotch representative, chiefly because this had been the only measure dealing with the liquor traffic which extended to Scotland. He believed that the trade had greater restrictions placed upon it in Scotland than elsewhere, and that the feeling in favour of farther restrictions was year by year increasing. They were frequently told that they could not make people sober or even drunk by Act of Parliament; but his own experience of Sweden, to which country allusion had been made, was that owing to the establishment of free trade in spirituous liquors such a condition of affairs was produced that a Committee of Inquiry had to be appointed; and that Committee reported that moral, physical, and social ruin menaced the nation as the result of the law in regard to the sale of spirits. The consequence of this inquiry was that in 1855 a great change in the law was made and the country subsequently could hardly be recognized as the same. This was not the occasion on which to enter into detail with respect to the Swedish licensing laws:—but the House had heard that there was a probability that so far as Scotland was concerned, a measure might be laid before it which would give a full opportunity of inquiring in detail into the operation of the systems which had been adopted in other countries. He might, however, mention that one of the principles of the Swedish law was to give the parochial authorities a veto over the issuing of new licences; and this power had been found to work most advantageously and efficiently, in of many cases leading to entire extinction the spirituous liquor traffic. In Gothenburg the law had worked with special success, and he believed this was owing to the recognition of the principle which should be recognized in this country also—that no individual should reap a private gain by the sale of spirituous liquors so as to encourage undue consumption—in other words, that no one who had been intrusted with a licence should have an object in inducing men to drink too freely. The measure which he had referred to would afford an opportunity for a much fuller discussion of the Gothenburg system than that now before the House, and he should therefore refrain from entering into its merits now; but until some such Bill was introduced into the House with a fair prospect of its becoming law, he should continue to support the Bill of the hon. Baronet the Member for Carlisle.

MR. MUNDELLA said, he had no intention of taking part in this debate, and he rose solely for the purpose of correcting some mistatements which he understood had been made by the hon. Member for Waterford (Mr. Osborne) in his absence. They all enjoyed the happy humour of the hon. Member, but he could not therefore be allowed to make reckless statements, imputing evil to important institutions, and which might, coming from that House, be received by the country as of more value than was their due. The hon. Member had stated that drinking and gambling was prevalent at the working men's clubs of this country—

MR. OSBORNE said, he had referred to those clubs at Sheffield and some other places—not generally.

MR. MUNDELLA: It happened that the working men's clubs in Sheffield were about the best specimens of working men's clubs in the whole of Great Britain. He (Mr. Mundella) knew something about these working men's clubs in Sheffield. The first of them was started under the auspices of the clergy and gentry of the town, and provided reading-rooms, libraries, and refreshment-rooms, and in fact, everything for the amusement and recreation of the working men. He felt bound to say that this club filled so rapidly, and numbered 500 or 600 persons in so short a space of time, that it was found necessary to form another; and since that time they had been established in every ward of the town. No better institution existed in England than working men's clubs, and there was nothing more gratifying to him than to find that the working men availed themselves to the extent they did of the benefits they afforded. Certainly those gentlemen who were connected with clubs in Sheffield would be much astonished at the hon. Member for Waterford making such a charge against them. He must have been thinking of some of the clubs in Pall Mall. There was one other question to which he would refer. He understood the hon. Member to make some allusion to the manner in which he (Mr. Mundella) was going to vote. But he thought he might ask who was it that "shirked responsibility" in that House?—was it himself, or the hon. Member for Waterford? He would like to ask him another question. Had the hon. Gentleman ever been in a working-man's club in his life? [Mr. OSBORNE: Yes.] Well, then, would he produce evidence in support of the statement which he had made respecting these clubs? Would he give the name of a single one of these clubs where drinking and gambling went on? If he would look to the clubs in Pall Mall he would find that the poor man's club would bear a very favourable comparison with the rich man's. He had never pledged himself on election to vote for the Permissive Bill, nor had he ever pledged himself to vote against it. He was not pledged to vote one way or the other. But though he was not pledged he had voted for it on this ground. The Bill contained no provision for compensation, and if licences were taken away, or by whatever means they attempted to suppress the trade, they must compensate the man for the loss he would sustain. That seemed to him to be the inevitable consequence. But there was no provision for compensation in this Bill, and many of its details could not be worked out or carried into practice. But, on the other hand, it seemed essential that they should have some settled principle, and that some such a plan as that suggested by the hon. Baronet (Sir David Wedderburn) might be adopted. Everyone who knew how the Gothenburg system had worked in Sweden knew the great change which had come over that country. It was something truly marvellous. Now, the principle of the ratepayers having a certain control was the principle upon which he rested his defence in voting for this Bill. He believed in the ratepayers having this control, because it was most important that working men should have a vote in this matter. The poor could not surround their dwellings with brick walls, they lived in crowded neighbourhoods, with only perhaps a few yards of open space in front of them; and it was most important they should be allowed to choose whether or no they would have a public-house close to their homes. He believed it to be right they should have a voice on the question, and it was upon these grounds that he meant to give his vote for the second reading of the Bill.

MR. WHITWELL said, that during the discussion of the Licensing Bill last year, his hon. Friend the Member for Carlisle proposed to extend the permissive principle to that Act. On that occasion he (Mr. Whitwell) ventured to divide the House with the view of limiting the operation of the Bill to the granting of all new licences. He believed the introduction of such a system would be desirable, and that if the ratepayers had the power to limit the increase of new licences, much of the good which the House desired might be accomplished. On that principle he should vote for the second reading of this Bill, in the hope that if it passed he should be able to introduce his Amendment in Committee. But if the Amendment which he intended to propose was not carried, he should oppose the third reading of the Bill.

MR. BRUCE: Sir, May has come round again, and brought with it many agreeable things and, I am bound to say, some disagreeable ones, among which I give the chief place to the Bill of my hon. Friend which is now under discussion. The hon. Baronet has made—not a personal appeal to myself, but to me in my official capacity—to state my reasons why I oppose his Bill. Well, Sir, the Home Secretary has quite enough to do already, and if this measure were passed so many new duties and responsibilities would be imposed that it would be impossible for him to discharge them. Supposing the Bill was adopted in any of our large towns—in places where drunkenness mostly prevails—and where undoubtedly a considerable minority would be opposed to it, we should have continual opposition, we should have continual elections, with riots, and disorder, which it would be the duty of those in authority to put down; or else we should have that which would be even worse, the executive authority winking at evasion, and so bringing scandal upon the law. This would be in my opinion, one of the certain results of the passing of this Bill. The fresh evidence which we have had to-day from America—and I wish more hon. Gentlemen had been present to hear the statements of personal testimony of the hon. Member for Bath (Mr. Dalrymple) on that subject—showed in effect that this was a law which the Executive could not enforce among a free people. With a people accustomed to implicit obedience the case might perhaps be somewhat different; but in this country, where we have been, and I hope we always shall be accustomed to considerable freedom, an interference of this sort—not against a thing which is wrong in itself, but only made wrong by Act of Parliament—would lead to much resistance of a dangerous kind. The hon. Member for Waterford (Mr. Osborne), reminded us, I think, very fairly, that it was objected to the Licensing Act of last year that the restrictions it placed upon the sale of liquor might lead to its illicit sale—and no doubt to some extent this was true. But I do not agree with the hon. Gentleman when he states that the institution of working men's clubs are an evil in themselves; where they are *bonâ fide* clubs it is certainly better that the working man should go to them rather than to houses where the inducements to drink would be greater. No doubt, there may be some fictitious clubs, and some places where illicit liquors are sold; but these are and must be very few, and are closely watched by the Excise and the police. Hitherto the police have been able to work the Act; but if we should carry restrictions further it would be impossible to say what force would be required to give effect to the law. Another reason why I oppose the Bill is that I can be no party to a measure which involves the wholesale confiscation of property which this Bill would inflict. The hon. Baronet (Sir Wilfrid Lawson) in his speech spoke of his Bill as if it only gave to the ratepayers the power of preventing a future increase in the number of public houses. [SIR WILFRID LAWSON: What I said was that the Bill applied not to new licences only, but to all licences.] Well, but the hon. Baronet said that the objection to this Bill, as a permissive measure, had been met, by asking whether existing legislation on the subject is not permissive? for did we not leave in the hands of the justices of the peace the power of granting or of refusing a licence? The law as it now stands certainly gives power to the justices to refuse a licence, but not without good, grave, and sufficient cause. I believe that this power has on the whole been exercised wisely and judiciously, and so far I think that the principle is a good one. But I also oppose this Bill on account of its permissive character. And I beg to say that there is an essential difference between the character of this Bill and those measures which have been referred to by the hon. Baronet. I drew attention to this difference last year, and pointed out that in all permissive Acts at present in force the ratepayers are at liberty to adopt the powers they conferred once for all; but in this Bill it is proposed to re-open the question every three years. But not only this—there is another and a broader distinction between the principle of this and other Bills. The existing Bills give to the ratepayers power to adopt a certain measure for the public good; but this Bill gives to a certain number of persons the power to interfere with the social habits of the people. This seems to me to be a novel and dangerous principle, and one which should not be conceded. It is not necessary for me to enter into details on this question, as I have so frequently spoken upon it, but I cannot sit down without alluding to one subject which has frequently been referred to in the course of this debate. It is a subject which appears to me to require grave consideration. I am bound to say that when I consider the manner in which persons interested in the extension or the repression of the trade have expressed their opinon, and have endeavoured to influence the Legislature, I think it affects the dignity and independence of the House. Now I am afraid that my hon. Friend who moved the rejection of the Bill (Mr. Wheelhouse) is somewhat responsible for this attitude of the partizans on each side, as he has not questioned the accuracy of the report of a speech made by him at York, in which it was stated that, in his opinion, the licensed victuallers should combine to return, without respect to their opinions or politics, persons who were pledged to oppose this Bill. He is charged with coining a word for the purpose, and to have recommended them to "energize" their powers. This word, however, is not a new one, as hon. Members who remember the old couplet know—

"When energizing objects men pursue,
What are the wonders which they will not do?"

I can imagine that no greater evil

than that an election should turn on such a subject as this. We have licensed victuallers on one side informing Members that their support depends on the vote which they will give in respect to this Bill; and, on the other side, hon. Members are informed by the gentler enthusiasts of the temperance cause that if they vote against the Bill they will not again receive their support. This is a course of proceeding, in the presence of which I think, the House should let no doubt remain as to its opinion. There are some hon. Members who have hitherto remained neutral on this question; and a doubt has therefore arisen as to the degree of support this measure may be expected ultimately to receive. I trust there will be no longer any hesitation; that upon this occasion hon. Gentlemen will so vote that henceforth there may be no doubt as to the ultimate prospects of a measure like the present. Let those who believe the Bill to be a good Bill, and who desire to vote for it, do so; but, on the other hand, let those who, like myself, believe it to be an utterly futile measure, unjust and oppressive, and opposed to common sense, vote against it, and throw it out by a large and crushing majority.

Sir WILFRID LAWSON, in reply, said: I will only detain the House for a few minutes. I really think that the hon. Gentleman who moved the rejection of the Order could not have understood it, or he would not have made the mistakes which he did. I do not object to many of the plans which have been proposed by hon. Gentlemen in the course of the debate, but, on the contrary, I am quite willing to support many of them whenever they may be brought forward. All I say is, that if there are certain places in which the ratepayers choose not to have any public-houses, that their wishes should be complied with. Well, then, as to what was said by the hon. Member for Bath (Mr. D. Dalrymple). We are all well used to have among us hon. Gentlemen who tell us of their visits to America, and how they have been about from town to town trying to break the law. The hon. Member has a Bill of his own, the object of which is to lock up the drunkard. I only want to be permitted to lock up the drink. I really hope to be able to support the hon. Member for Bath in the

permissive powers he seeks to obtain in his Habitual Drunkards Bill, and I hope he will not act so like a dog-in-the-manger as to oppose me in my efforts to obtain for the people the same power with respect to checking the manufacture of these drunkards. As to my Friend the hon. Member for Waterford (Mr. Osborne), he has made one of his amusing speeches, as one would naturally expect from him. He talked about freedom to working men. Why, that is the very thing I wish to give them. It is too late to talk about free trade in drink; that is as dead as concurrent endowment. At present the whole of the power as to the granting of licences is in the hands of a few magistrates, who are wholly and entirely irresponsible. I would empower the working men to overrule their discretion, and I contend that that is a great extension of freedom. One word about the Home Secretary. When he talked about the absence of any compensation clause in my Bill, he should have remembered what he himself has done. Why, the right hon. Gentleman is called by some irreverent individuals among the publicans, "Bruce the Communist." Does he not know that certain publicans made nearly all their profit by selling drink during those hours during which, by this last Act, he has now prohibited them from selling? What compensation has he offered to them? If, for the public good, he has a right to curtail this sale of drink carried on by these men for one hour, or two hours, or three hours, there is the same right to curtail it altogether if the interests of public order, welfare, and morality demand it. Well, I will not detain the House any longer. The right hon. Gentleman seems to be afraid of some new question being imported into elections, but all I can say is that he is not able to dictate to the people of England what subjects they shall deal with at the elections. From what I know of the state of the working people, I am as confident as that I stand here that there is no question which interests them so heartily and enthusiastically as this drink question. The hon. Member for Waterford said the Prime Minister had declared that there had been an imperceptible decrease of drunkenness in the country. I agree with him that the decrease is imperceptible, and I beg the House to pass the Bill so as to make the decrease perceptible.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 81; Noes 321: Majority 240.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

AYES.

Allen, W. S.
Balfour, Sir G.
Barry, A. H. S.
Bazley, Sir T.
Biddulph, M.
Birley, H.
Bright, J. (Manchester)
Brocklehurst, W. C.
Brogden, A.
Brown, A. H.
Browne, G. E.
Cadogan, hon. F. W.
Candlish, J.
Carter, R. M.
Chadwick, D.
Chambers, M.
Chambers, Sir T.
Crichton, Viscount
Dalway, M. R.
Davie, Sir H. R. F.
Davies, R.
Dawson, Col. R. P.
Dick, F.
Dickinson, S. S.
Downing, M'C.
Finnie, W.
Fletcher, I.
Fordyce, W. D.
Gavin, Major
Gourley, E. T.
Graham, W.
Grieve, J. J.
Hadfield, G.
Heygate, Sir F. W.
Holland, S.
Hoskyns, C. Wren-
Illingworth, A.
Johnston, W.
Kinnaird, hon. A. F.
Knox, hon. Col. S.
Laing, S.
Leith, J. F.
Leslie, J.
Lewis, C. E.
Lewis, J. D.
Lush, Dr.
M'Arthur, W.
M'Clure, T.
M'Lagan, P.
M'Laren, D.
Magniac, C.
Maitland, Sir A. C. R. G.
Maxwell, W. H.
Melly, G.
Meyrick, T.
Miall, E.
Milbank, F. A.
Miller, J.
Morgan, G. O.
Mundella, A. J.
O'Neill, hon. E.
Palmer, J. H.
Potter, T. B.
Richard, H.
Richards, E. M.
Roden, W. S.
Rylands, P.
Shaw, R.
Sinclair, Sir J. G. T.
Smith, E.
Stronge, Sir J. M.
Stuart, Colonel
Talbot, C. R. M.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Wedderburn, Sir D.
Whalley, G. H.
Whitwell, J.
Whitworth, T.
Willyams, E. W. B.
Young, A. W.

TELLERS.

Hamilton, Lord C.
Lawson, Sir W.

NOES.

Adair, H. E.
Adam, W. P.
Adderley, rt. hon. Sir C.
Akroyd, E.
Amcotts, Col. W. C.
Amphlett, R. P.
Anderson, G.
Annesley, hon. Col. H.
Arbuthnot, Major G.
Arkwright, A. P.
Arkwright, R.
Assheton, R.
Aytoun, R. S.
Bagge, Sir W.
Bagwell, J.
Bailey, Sir J. R.
Barclay, A. C.
Barrington, Viscount
Barttelot, Colonel
Bass, A.
Bass, M. T.
Bassett, F.
Bates, E.
Bateson, Sir T.
Bathurst, A. A.
Baxter, rt. hon. W. E.
Beach, Sir M. Hicks-
Beaumont, S. A.
Beaumont, W. B.
Bective, Earl of
Bentall, E. H.
Bentinck, G. C.
Bentinck, G. W. P.
Benyon, R.
Beresford, Colonel M.
Bingham, Lord
Bolckow, H. W. F.
Bonham-Carter, J.
Bourke, hon. R.
Bouverie, rt. hon. E. P.
Brand, H. R.
Bright, R.
Brinckman, Captain
Bristowe, S. B.
Broadley, W. H. H.
Brooks, W. C.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Buxton, Sir R. J.
Cardwell, rt. hon. E.
Cartwright, F.
Cartwright, W. C.
Cave, rt. hon. S.
Cave, T.
Cavendish, Lord F. C.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Chaplin, H.
Charley, W. T.
Chelsea, Viscount
Childers, rt. hon. H.
Cholmeley, Captain
Clay, J.
Clifford, C. C.
Clive, Col. hon. G. W.
Clowes, S. W.
Cobbett, J. M.
Cochrane, A. D. W. R. B.
Cole, Col. hon. H. A.
Colebrooke, Sir T. E.
Collins, T.
Colthurst, Sir G. C.
Cowper, hon. H. F.
Cowper-Temple, right hon. W.
Craufurd, E. H. J.
Croft, Sir H. G. D.
Cross, R. A.
Cubitt, G.
Dalglish, R.
Dalrymple, C.
Dalrymple, D.
Davenport, W. B.
Dent, J. D.
Dickson, Major A. G.
Dilke, Sir C. W.
Dillwyn, L. L.
Disraeli, rt. hon. B.
Dodson, rt. hon. J. G.
Dowdeswell, W. E.
Duff, M. E. G.
Duff, R. W.
Du Pre, C. G.
Dyke, W. H.
Dyott, Col. R.
Eaton, H. W.
Egerton, hon. A. F.
Egerton, Adml. hn. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elliot, G.
Enfield, Viscount
Ennis, J. J.
Erskine, Admiral J. E.
Ewing, A. Orr-
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Feilden, H. M.
Fellowes, E.
Fielden, J.
Figgins, J.
Fitzmaurice, Lord E.
Fitzwilliam, hon. C. W. W.
Floyer, J.
Forster, C.
Fortescue, hon. D. F.
Fowler, W.
French, rt. hon. Col.
Gallwey, Sir W. P.
Galway, Viscount
Gilpin, Colonel
Gladstone, W. H.
Glyn, hon. G. G.
Goldney, G.
Gooch, Sir D.
Gordon, E. S.
Gore, W. R. O.
Goschen, rt. hon. G. J.
Gower, hon. E. F. L.
Gray, Colonel
Greaves, E.
Greene, E.
Gregory, G. B.
Grey, rt. hon. Sir G.
Grosvenor, hon. N.
Grosvenor, Capt. R. W.
Grosvenor, Lord R.
Grove, T. F.
Guest, M. J.
Hambro, C.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hanbury, R. W.
Harcourt, W. G. G. V. V.
Hardcastle, J. A.
Hardy, rt. hon. G.
Hardy, J.
Hardy, J. S.
Hay, Sir J. C. D.
Headlam, rt. hon. T. E.
Henley, Lord
Henry, J. S.
Herbert, H. A.
Herbert, rt. hon. Gen. Sir P.
Hermon, E.
Hervey, Lord A. H. C.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Hoare, Sir H. A.
Hodgkinson, G.
Hodgson, K. D.
Hodgson, W. N.
Hogg, J. M.
Holford, J. P. G.
Holker, J.
Holms, J.
Holmesdale, Viscount
Holt, J. M.

Hood, Captain hon. A. W. A. N.
Hope, A. J. B. B.
Howard, hon. C. W. G.
Hunt, rt. hon. G. W.
Hurst, R. H.
Hutton, J.
Johnston, A.
Johnstone, Sir H.
Jones, J.
Kavanagh, A. MacM.
Kennaway, Sir J. H.
Kingscote, Colonel
Knatchbull-Hugessen, rt. hon. E. H.
Knightley, Sir R.
Lacon, Sir E. H. K.
Laird, J.
Lambert, N. G.
Langton, W. G.
Laslett, W.
Lawrence, W.
Lea, T.
Learmonth, A.
Leeman, G.
Lefevre, G. J. S.
Legh, W. J.
Leigh, E.
Lennox, Lord G. G.
Lennox, Lord H. G.
Lewis, H.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Locke, J.
Lopes, H. C.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, J.
Lowther, hon. W.
Lyttelton, hon. C. G.
Mackintosh, E. W.
Mahon, Viscount
Malcolm, J. W.
Manners, Lord G. J.
March, Earl of
Massey, rt. hon. W. N.
Mellor, T. W.
Merry, J.
Milles, hon. G. W.
Mills, Sir C. H.
Mitchell, T. A.
Mitford, W. T.
Monckton, F.
Monk, C. J.
Morgan, C. O.
Mowbray, rt. hon. J. R.
Muncaster, Lord
Muntz, P. H.
Murphy, N. D.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Nicholson, W.
Northcote, rt. hon. Sir S. H.
Norwood, C. M.
Ogilvy, Sir J.
O'Reilly-Dease, M.
Osborne, R.
Paget, R. H.
Palk, Sir L.
Parker, Lt.-Col. W.
Patten, rt. hon. Col. W.
Peek, H. W.
Peel, A. W.
Peel, rt. hon. Sir R.
Pemberton, E. L.
Percy, Earl
Phipps, C. P.
Playfair, L.
Potter, E.
Powell, F. S.
Power, J. T.
Raikes, H. C.
Read, C. S.
Ridley, M. W.
Rothschild, Bn. M. A. de
Rothschild, N. M. de
Russell, Lord A.
Sackville, S. G. S.
St. Aubyn, Sir J.
Salt, T.
Samuda, J. D'A.
Sandon, Viscount
Sclater-Booth, G.
Scourfield, J. H.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Selwin - Ibbetson, Sir H. J.
Seymour, A.
Shaw, W.
Sheridan, H. B.
Sherriff, A. C.
Simon, Mr. Serjeant
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, S. G.
Smith, W. H.
Smyth, P. J.
Stanley, hon. F.
Stanley, hon. W. O.
Stapleton, J.
Starkie, J. P. C.
Steere, L.
Stone, W. H.
Straight, D.
Strutt, hon. H.
Sturt, H. G.
Sturt, Lt.-Col. N.
Sykes, C.
Talbot, hon. Captain
Taylor, P. A.
Thynne, Lord H. F.
Tipping, W.
Tollemache, hon. F. J.
Tollemache, Maj. W. F.
Tomline, G.
Torr, J.
Torrens, W. T. M'C.
Trelawny, Sir J. S.
Turner, C.
Turnor, E.
Walker, Lt.-Col. G. G.
Walpole, hon. F.
Walsh, hon. A.
Walter, J.
Waterhouse, S.
Watney, J.
Weguelin, T. M.
Welby, W. E.
Wells, E.
West, H. W.
Wharton, J. L.
Whatman, J.
Whitbread, S.
Williams, Sir F. M.
Williamson, Sir H.
Wilmot, Sir H.
Wingfield, Sir C.
Winterbotham, H. S. P.
Wyndham, hon. P.
Wynn, C. W. W.
Yarmouth, Earl of
Yorke, J. R.

TELLERS.

Talbot, J. G.
Wheelhouse, W. S. J.

PUBLIC HEALTH BILL, 1873—[BILL 99.]

(*Sir Charles Adderley, Mr. Francis Sharp Powell, Mr. Whitbread, Lord Robert Montagu, Mr. Stephen Cave, Mr. Richards.*)

SECOND READING.

Order for Second Reading read.

SIR CHARLES ADDERLEY, in moving that the Bill be now read the second time, said, its object was to enact certain Amendments of the Public Health Act, 1872, which had been recommended in the Report of the Sanitary Commissioners. He had last year introduced a Bill for consolidating all the Sanitary Acts, but the Government having elaborated a Digest of those Acts for circulation amongst all the local authorities of the kingdom, it appeared best now to amend those Acts, and give a year's trial to the supplementary Acts of the last two Sessions before proceeding with the great work of consolidation. The Bill was divided into two parts. The first part of this Bill applied to "Nuisances," and in the first clause to the 10th the Nuisances Removal Act, 1863, was extended. The 8th clause directed the procedure in case of noxious trades, against all trades, without exemption, in which all practicable means were not used against creating nuisances. There were added to the definition of "nuisances," houses insufficiently supplied with water, or supplied with unwholesome water, ditches, drains, cesspools, &c., not properly cleansed or trapped, and the keeping of any animal in a manner injurious to human health. By the 7th clause the 13th section of the Act of 1860 was extended to nuisances on public as well as private premises, and the right of complaint was given to any inhabitant; and the 11th clause extended the use of hospitals to those outside a district. The second part collected other miscellaneous recommendations of the Sanitary Commission such as statistics of sickness as well as death, the formation of local hospitals the application of the Sanitary Act of 1866 to houses let in lodgings, the ventilation of sewers, the construction of watertight cesspools, the analyzing of drinking-water; and other provisions which were obvious omissions in the Acts for the protection of the public health. The hon. Member for East Suffolk (Mr. Corrance) had given Notice of opposition to this Bill before it was even printed, and therefore one might suppose irrespective of its contents or merits. By the terms of his subsequent Motion it appeared that he would prefer consolidating all the existing Acts before amending them. It appeared, however, desirable on the contrary to complete the Acts before their consolidation, and not to constitute offices and appoint salaried officers under the Acts of the last two Sessions without as speedily as possible defining all the duties attached to them.

Motion made and Question proposed, "That the Bill be now read a second time."—(*Sir Charles Adderley.*)

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to add to the duties at present imposed upon sanitary authorities constituted by the Act 1872, until their powers are better defined by a consolidation of the statutes, and appointments have been completed in conformity with the intention of the Act,"—(*Mr. Corrance,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. HIBBERT said, the Bill had the support of the Government, and contained clauses which were requisite to make more perfect the Act of last year. Under that Act 30 Officers of Health, and the same number of Inspectors of Nuisances, had been appointed, and daily applications were made for the appointment of Officers of Health and Inspectors of Nuisances. The local authorities in all parts of the country were most willing to carry into effect the Act of last year.

MR. COLLINS said, it was inexpedient to pass another Bill on this subject until the House had time to know how the Act of last year operated, and how it was administered. He believed that in many parts of the country it had not yet been brought into operation—

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

MUNICIPAL CORPORATIONS EVIDENCE BILL.

On Motion of Mr. HINDE PALMER, Bill to facilitate the proof of Bye-laws and Proceedings of Municipal Corporations in England and Wales, *ordered* to be brought in by Mr. HINDE PALMER and Mr. WATKIN WILLIAMS.

Bill *presented*, and read the first time. [Bill 155.]

PUBLIC MEETINGS (IRELAND) BILL.

On Motion of Mr. P. J. SMYTH, Bill to assimilate the Law of Ireland with reference to Public Meetings to that of England, *ordered* to be brought in by Mr. P. J. SMYTH, Mr. M'MAHON, Mr. RONAYNE, Sir JOHN GRAY, Mr. DOWNING, and Mr. BUTT.

Bill *presented*, and read the first time. [Bill 157.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 8th May, 1873.

MINUTES.]—PUBLIC BILLS—*First Reading*—Oyster and Mussel Fisheries Order Confirmation * (95); Pier and Harbour Orders Confirmation * (96); Fairs * (97); Vagrants Law Amendment * (98); Marriages Legalization, St. John's Chapel, Eton * (99).

Second Reading—Referred to Select Committee—Canonries (83).

Committee—Registration of Births and Deaths (49-100).

Committee—Referred to Select Committee—Elementary Education Provisional Order Confirmation (No. 1) (68).

Committee—Report—Elementary Education Provisional Order Confirmation (No. 2) * (69); Elementary Education Provisional Order Confirmation (No. 3) * (78); Land Drainage Provisional Order * (70).

Third Reading—East India Stock Dividend Redemption * (67); Fulford Chapel Marriages Legalization * (82), and *passed.*

REGISTRATION OF BIRTHS AND DEATHS BILL—(Nos. 49-100.)

(*The Earl of Morley.*)

COMMITTEE.

House in Committee (according to Order).

THE BISHOP OF WINCHESTER who had given Notice of a series of Amendments, explained that his object was to render the provisions of the Bill less onerous on the poorer classes of the population without imparing its general efficiency. He believed the Bill as it stood provided for a needless multiplicity of informants in the cases of births and deaths. There was no principle better ascertained than that the division of responsibility weakened the feeling of individual obligation; and having regard to the trouble to which poor people would be put in complying with the provisions of the measure, he believed it would be wise to modify some of the clauses. The right rev. Prelate then moved the omission of words in the first clause, restricting the obligation of giving information of the birth of any child to the father or mother, or the person having charge of the child; and inserting in Clause 10 words limiting the number of persons bound to give information concerning a death.

THE EARL OF MORLEY said, the object of the Bill being to secure a complete registration of births, for which the law did not at present provide, and to bring into a consistent system the indirect and imperfect method in which deaths were at present registered, every person had been included who it was at all probable would be competent to give information. The right rev. Prelate should observe that the obligation was placed upon strangers only in default of the parents or near relatives. He could not approve of the Amendment.

THE DUKE OF RICHMOND said, he did not think the obligations imposed by the Bill were so onerous as the right rev. Prelate seemed to believe, and were not at all more so than was necessary to secure efficient registration.

Amendment *negatived.*

Amendments made; the Report thereof to be received on *Friday* the 16th instant; and Bill to be *printed* as amended.

ELEMENTARY EDUCATION PROVISIONAL ORDER CONFIRMATION (No. 1) BILL—(No. 68).

(*The Lord President.*)

COMMITTEE.

House in Committee (according to Order).

THE MARQUESS OF SALISBURY said, he had an Amendment to move which, though it might appear a small matter in itself, really involved an important principle. When Parliament passed the Elementary Education Bill three years ago, a compromise was adopted between the two kinds of education—that termed denominational and that carried on under the School Boards. Now it was absolutely necessary if that compromise was to continue and to be fairly carried out that the School Board should keep their hands off the denominational schools. If the School Board, with unlimited means supplied out of the pockets of the ratepayers, were allowed to shut up the denominational schools, it was obvious that the compromise was at an end. Now, he wished to bring before their Lordships a case in which this compromise had, he considered, been flagrantly disregarded by the London School Board. The present Bill was the necessary consequence of a provision in the Elementary Education Act, inasmuch as the School Board proposed a compulsory taking of land in the parish of St. Mary, Lambeth, for the purposes of a Board school. It was proposed to build this school in a district where there was already sufficient provision for education, and on a spot around which at a radius of 500 yards there were eight denominational schools. The district within which these schools stood was on the south side of the river running from Vauxhall to Lambeth Palace, and embraced the parishes of St. Peter, Vauxhall, and St. Mary, Lambeth. The population was 19,086 persons. The utmost calculation of the Education Department was that there should be school accommodation for one out of every six of the population. Accordingly, on that calculation, the district to which he was referring required school accommodation for 3,140 children; but at the present time there was school accommodation for 3,298, being in excess of what was required, and though schooling was to be had in those parishes for a penny a week, there were 800 vacancies. The existing schools belonged to different denominations, and he thought the result of such proceedings as these would be to discourage the efforts of individuals for the education of the young, and would put an end to the foundation of denominational schools. He believed it would be urged in favour of what was asked for in this Bill, that though school accommodation was not required within the limits of which the Board school was the centre, it was required for an adjoining district; and as it was difficult to get sites for schools in London, the Education Department thought it was desirable to secure this piece of ground in the parish of St. Mary, Lambeth. As he had already explained, there was a piece of ground with numerous denominational schools on each side of it. Now if a person got possession of a tongue of land with coverts on either side of it, and if he put food for pheasants on that tongue of land and said he had obtained the land merely for the pheasants on his own estate, people would still have a suspicion that his object was to draw the pheasants from the woods on either side. He hoped he would not be misunderstood as seeking to cast any reflection on the distinguished President of the London School Board, whose whole life showed his devotion to religious education; but, as was shown by the case at Nottingham, School Boards sometimes acted very recklessly, and if the compromise entered into three years ago was to be upheld, a proposal such as that before their Lordships ought not to be adopted. Moreover, the School Boards did not now represent the ratepayers. They were near the end of their term, and the ratepayers were beginning to awaken to the fact that they were exercising their powers in a very reckless manner. Be that as it might, here was a very flagrant wrong proposed, and their Lordships might well interpose and prevent the adoption of this scheme until a new election had taken place. His proposal was to omit from the Schedule the words giving power for the compulsory taking of the land on which to erect the new school.

Amendment moved, in pages 11 and 12, to leave out the words—

"A piece or parcel of ground situate in or near Albion Cottages, in the parish of St. Mary, Lambeth, in the county of Surrey, being on the east and west sides of Albion Cottages, and containing 18,510 square feet, or thereabouts, together with all the messuages, tenements, and buildings now standing thereon."

[Then the names of the owners and occupiers are set out.]

LORD LAWRENCE said, he would address their Lordships, not as the Chairman of the School Board, but as a Member of their Lordships' House, and would intreat their Lordships not to accede to the proposal of the noble Marquess. The truth was that the question was not a denominational one or a religious one, but one of meeting what the School Board knew to be a real deficiency in respect of education on the south side of London. When the question of dividing London into areas for School Board purposes was under consideration it was determined that it would be inconvenient to adopt the existing parochial divisions; and therefore London was mapped out into 10 large divisions, which were again sub-divided. The noble Lord, holding in his hand a map, explained the "blocks" into which the south side of London had been divided, applying the Returns of school accommodation and deficiency to the several "blocks," referring particularly to two "blocks," which embraced the localities and schools alluded to. The noble Lord proceeded to say that it was sometimes found more convenient to deal with two blocks as one large one, rather than to have two small schools; and it was therefore resolved to erect one large school for the two blocks in question. There were in the neighbourhood nearly 4,000 children; the existing school accommodation was sufficient for 2,732, leaving between 1,100 and 1,200 children to be provided for by Board schools. It was therefore at first determined to build a school sufficient for 1,000 children; but upon further scrutiny the plan had been altered, and it was now proposed to provide for the present for only 500, leaving a deficiency of 500 places. He thought this was a question which must be left to the Board, who had no object in supplying school accommodation which was not really required. When a few years had passed he was confident it would appear that the Board had been by no means extravagant in expending the ratepayers' money. They were erecting schools only in cases which had been clearly made out, and not in cases which were doubtful. He could understand and sympathize with the feelings of the supporters of voluntary schools; but it must be remembered that the Board was created for the very purpose of supplying deficiencies. In cases in which the supporters of voluntary schools felt themselves aggrieved they had often appealed to the Board and had had interviews with committees; but, in this case, instead of adopting that course, the gentlemen went to the Education Department, which referred them to the Board, who gave their reasons for what they had done. Had these gentlemen gone to the Board at first, they might, perhaps, have adduced arguments which would have induced the Board to modify its plans; but they had done nothing of the kind, and there was no course open to the Board but to do what it had done. As for postponing the question until after the next election of School Boards, he did not see any reason for it. If it was good in this it was good in every other case; and their Lordships must remember that the Board had hitherto been chidden, not for doing too much, but for having done so little.

THE DUKE OF RICHMOND said, so far as he understood, the noble Lord (Lord Lawrence) appeared to admit that the want of school accommodation was not in that part of the district where it was proposed to erect the schools, which were to be built in the centre of a district well supplied, and for which more had been done during the last 20 years than for many other districts in the metropolis. There was already accommodation for near 3,000 children; and in the interest of the ratepayers they ought to resist an expenditure of some £15,000 or £20,000 for a school that was not wanted, The noble Lord said the London School Board had not wasted the means of the ratepayers. He would not suggest that they had done so, but if they did what they now proposed to do they would, in his opinion, be wasting the means of the ratepayers. Now, as the School Board must be re-elected in November next, he thought this matter might well wait till the election was held, when the ratepayers would be enabled to give their opinion as to the scheme by re-electing those members who would carry out their views, and if they were of opinion that this £15,000 or £20,000 ought not to be spent, they would be able to prevent it.

THE MARQUESS OF RIPON said, that the question their Lordships really had to determine was one of fact. He thought the noble Duke (the Duke of Richmond) had misunderstood what had been stated by his noble Friend the Chairman of the London School Board. It was proposed to erect a school in the centre of block 89, where there was, as stated by his noble Friend, a deficiency of accommodation for 1,000 or 1,100 children; but the school proposed to be erected was only to supply accommodation for 500 children. The London School Board came into operation under exceptional circumstances—it was the only School Board which came into operation entirely by authority of Parliament, and the Act of 1870 threw on the School Board the duty of at once supplying the deficiency of accommodation that might be found to exist for the education of children in the metropolis. The gentlemen who had made the inquiries and inspected the particular district had assured the Department that the figures were as had been stated by his noble Friend (Lord Lawrence). He, therefore, believed there was some mistake in the figures of the noble Marquess. The London School Board had very carefully investigated the matter, and he hoped their Lordships would not take for granted that the unauthenticated statistics of the noble Marquess were correct.

LORD DE ROS said, he knew the district well, and did not believe the school proposed was necessary for the extent of the population. He should support the Amendment of the noble Marquess.

THE EARL OF HARROWBY thought the question should be referred to a Select Committee, which would be enabled in a very few minutes to come to a conclusion that would be satisfactory to all parties.

THE MARQUESS OF SALISBURY said, he did not think it would be wise to refer the Bill to a Select Committee on this single point. If the Bill were referred to them at all it would be necessary to refer it in its entirety, and that would oblige the London School Board to prove each case before the Committee, which would be a rather large undertaking. Besides, this was not a permanent, but only a suspensory decision. The ratepayers were the best Select Committee to refer the matter to.

EARL GRANVILLE said, he was rather surprised that the noble Marquess should shrink from any inquiry into the facts—he ought to have fully ascertained the accuracy of his facts before bringing on his Motion. He (Earl Granville) would take the responsibility of the figures of the London School Board. They had been looked into by men of different opinions, and there was hardly any difference among them in relation to this matter.

LORD LAWRENCE said, he was not aware of any difference of opinion in the Board on the subject.

EARL GRANVILLE said, there could be no doubt the Board was justified in finding school accommodation where a deficiency existed. The noble Marquess had only ascertained one portion of the facts; on that portion of the facts he had made a statement to the House, and many noble Lords had come down to support him. But his noble Friend had proposed the fairest thing possible—to refer it to an impartial Committee of five to report merely as to the facts in question. If that proposal were rejected the conduct of the House would not recommend itself to the public mind.

EARL GREY said, he did not think it necessary to refer the whole Bill to a Select Committee—it would be sufficient to suspend the proceedings on the Bill, and in the meantime to appoint a Committee merely to consider this one point —whether a proper site was chosen for this school or not. On the one hand, his noble Friend (Lord Lawrence) proved that there was a deficiency, and that there ought to be a new school; but he also stated that the proposed site was in the centre of two blocks, in which, taken together, there was a deficiency. If he understood the statement of the noble Marquess (the Marquess of Salisbury) correctly, he admitted that there was a deficiency in the two blocks taken together, but contended that in one of the blocks there was none. If the noble Marquess was right in that contention, it would not be satisfactory to place the new school in the centre of the two blocks taken together, but rather in the centre of the block which was deficient in school accommodation. There was so much doubt as to whether the site was properly selected that it would be impossible for the House to come to a satisfactory conclusion on the point, therefore he hoped the suggestion of his noble Friend (the Earl of Harrowby) would be adopted, and that these small points would be referred to a Select Committee.

THE MARQUESS OF SALISBURY said, he preferred that the Bill as it stood should be referred to a Select Committee, which he trusted would not be a large one.

THE BISHOP OF LONDON also recommended that the whole Bill should be referred to a Select Committee. The proposed site was not the only thing to which objection was taken. The managers of the existing schools and the ratepayers of the adjoining districts considered that the prosperity of those schools was endangered by the Bill.

LORD CAIRNS said, he did not think it would be in Order to refer particular points only and not the whole Bill to a Select Committee. In his opinion, it would be a fair consideration for Parliament whether, unless there was a general consent, Bills affecting the property of the metropolis, ought to be accepted as a matter of course, and ought not rather to go through the ordeal of a Select Committee in the same way as all Private Bills were examined.

THE MARQUESS OF RIPON said, it would involve a very unnecessary delay to refer the whole Bill to a Select Committee. Their Lordships might have the utmost reliance on the energy and sagacity of the noble Marquess to find out all the weak points of the case.

THE DUKE OF RICHMOND said, he had heard a great deal from noble Lords opposite as to the necessity of inquiring into the accuracy of the statements made in reference to this question. The accuracy of the statements made by his noble Friend (the Marquess of Salisbury) had been impugned, and the right rev. Prelate (the Bishop of London) said, that the question of site was not the only point to which objection was taken. It was only fair to the right rev. Prelate that an opportunity should be afforded him of verifying that statement. The Bill had come up from the House of Commons, and if there was no objection to the various Schedules no time would be lost in considering them, because they would not be considered at all. But it was due to those who had any objection to any of these Schedules to have as full an opportunity of stating their case as the noble Marquess. He hoped, therefore, that the whole Bill would be referred to a Select Committee.

Amendment (by leave of the Committee) *withdrawn.*

House *resumed;* and Bill *referred* to a Select Committee.

And, on Tuesday, May 13, the Lords following were named of the Committee:—

D. Cleveland.
E. Harrowby.
E. Beauchamp.
V. Eversley.
L. Bp. Winchester.
L. Kesteven.
L. Lawrence.

CANONRIES BILL—(No. 83.)

(*The Marquess of Salisbury.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE MARQUESS OF SALISBURY, in moving that the Bill be now read the second time, explained that the object of the Bill was to amend the Act of 3 & 4 *Vict.* c. 113, for the Regulation of Cathedrals, and to facilitate endowment of Canonries by private benefaction. By the 20th section of the Act referred to it was provided that a plan might be laid before the Ecclesiastical Commissioners for re-establishing any canonries which should be suspended under the Act by assigning towards the re-endowment of any such revived canonry a portion of the capitular revenues, not exceeding £200 per annum. The present Bill proposed that any plan for reviving a canonry need not necessarily propose to appropriate any portion of the capitular revenue; and authorized the revival of old canonries and the establishment of new ones from private endowment. The Bill contained some provisions assigning the duties, fixing residences, &c., for the new canons, and regulating their position in the Chapters of the cathedrals and collegiate churches.

Motion *agreed to;* Bill read 2^{a}, and *referred* to a Select Committee.

And, on Friday, June 13, the Lords following were named of the Committee:—

Abp. Canterbury.
M. Salisbury.
E. Carnarvon.
E. Powis.
E. Nelson.
E. Ducie.
V. Portman.
Bp. Winchester.
Bp. Lichfield.
L. Blachford.

MARRIAGES LEGALIZATION, ST. JOHN'S CHAPEL, ETON, BILL [H.L.]

A Bill to render valid marriages heretofore solemnized in the Chapel of Ease called "Saint John-the-Evangelist" Chapel, Eton, in the parish of Eton, in the county of Buckingham—Was *presented* by The Lord Bishop of OXFORD; read 1^{a}. (No. 99.)

House adjourned at a quarter past Seven o'clock, 'till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 8th May, 1873.

MINUTES.]—PUBLIC BILLS—*Resolution in Committee*—Canada Loan Guarantee*.

Second Reading—Shrewsbury School Property* [117]; Gas and Water Provisional Orders Confirmation (No. 2)* [149]; Public Health [99].

Second Reading—Referred to Select Committee—Tithe Commutation Acts Amendment* [81].

Committee—Conveyancing (Scotland) [108]—R.P.; Railways Provisional Certificate (Widnes Railway (*re-comm.*)* [156]—R.P.

Committee—Report—Customs and Inland Revenue [144]; Register for Parliamentary and Municipal Electors (*re-comm.*) [105-158]; East India Loan* [103]; Superannuation Act Amendment [135]; Matrimonial Causes Acts Amendment* [101]; Crown Lands* [140].

Third Reading—Agricultural Children [8]; University Tests (Dublin) (No. 3)* [124], and *passed.*

BRADFORD IMPROVEMENT BILL.

[*Lords*] (*by Order*)—SECOND READING.

BREACH OF PRIVILEGE.

Order for Second Reading read.

Whereupon—

MR. SPEAKER stated that before the Order of the Day was proceeded with, it was right that he should point out that the Bill contained clauses which imposed a tax upon the people, and ought therefore to have been introduced into this House, and not into the other House of Parliament: but that as the Promoters were not responsible for the introduction of the Bill into the other House, and had signified their intention to withdraw these clauses, he submitted to the House that this course would be sufficient, under the circumstances, to repair the irregularity.

MR. SCLATER-BOOTH said, the Speaker had called attention to a Question of Privilege to which it was not his intention to refer; but as he had given Notice that he should oppose the clauses alluded to, he wished to say that his opposition was founded, not merely on the point of Privilege, but on the fact that the promoters of the Bill had proposed to take power to levy a tax which, in his opinion, the House would not allow any private parties to levy, and which could only be sanctioned on the proposal of Her Majesty's Government. It would have been, in fact, a general tax, which the House of Commons alone was accustomed to impose. He should, however, be satisfied with the withdrawal of the obnoxious clauses, and would also withdraw the opposition of which he had given Notice.

MR. W. E. FORSTER said, that as one of the Members for Bradford, his attention had been called to the existence of the taxing clauses after the Bill had passed through the House of Lords, and after the objection against them had been raised. On behalf of the promoters he could only state that they were entirely unaware that the introduction of the Bill in the House of Lords was likely to affect any Privilege of this House. Had they been aware of this they would certainly not have sanctioned its introduction into the other House of Parliament. He undertook, on their behalf that they would do their utmost to have the objectionable clauses withdrawn in Committee, and also any allusion to them which might occur in the Preamble of the Bill. With regard to the opposition raised by his hon. Friend opposite, which affected not only the Question of Privilege but the question of inserting clauses in regard to taxation, it was not the opinion of the promoters that the clauses would have had the effect ascribed to them. He would not enter into the question as to whether it would or would not be desirable that in any public Bill there should be such a provision. He was glad the hon. Gentleman opposite was satisfied with the assurance that the clauses would be withdrawn.

Motion *agreed to.*

Bill read a second time and *committed.*

CUSTOMS—TOBACCO—(UNPAID DUTIES).—QUESTION.

MR. BARNETT asked the Secretary to the Treasury, Whether he can inform the House of the quantity of tobacco burned, by order of the Commissioners of Customs, at the London Docks during each of the last three years; and, whether a better mode cannot be found of disposing of tobacco, on which the Duty has not been regularly paid, than its destruction?

MR. BAXTER, in reply, said, that the quantity of unmanufactured tobacco burnt in the port of London during the last three years might be estimated at 240,000 lbs., and the quantity of manufactured tobacco destroyed during the last three years was 7,270 lbs. Nearly the whole of the tobacco burnt was unmerchantable, and if offered for sale would bring in a mere trifle—if, indeed, it could be sold at all. Whatever was of the least value was exported, the remainder was mere refuse.

PUBLIC HEALTHS ACT, 1872—ROYAL ENGINEERS.—QUESTION.

SIR JOSEPH BAILEY asked the President of the Local Government Board, Whether, in view of the responsibilities imposed upon local authorities by "The Public Health Act,. 1872," and the local knowledge which would be acquired in their execution, the Government can arrange for the superintendence by the Royal Engineers of the drainage and waterworks required by that Act?

MR. STANSFELD, in reply, said, the Local Government Board had no such powers of superintendence, and if they had, without the assent of the local authorities he should not think it advisable to exercise them. The Local Government Board rendered certain assistance in carrying them out; but it would be very undesirable that they should become responsible for the execution of these works.

POST OFFICE—EDINBURGH POST OFFICE SORTERS.—QUESTION.

MR. MILLER asked the Postmaster General, Whether he has received a Memorial from the letter-sorters in the General Post Office, Edinburgh, craving an increase of pay; and, whether he has given any answer; and, if so, to what effect?

MR. MONSELL, in reply, said, he had received such a Memorial, but the subject formed only one part of a large scheme of revision, and he could give no further information upon it at present.

DOMINION OF CANADA—TRANSFER OF ARMS, STORES, &c.

QUESTION.

MAJOR ARBUTHNOT asked the Surveyor General of Ordnance, If he would explain to the House the discrepancy between the Return presented to the Dominion Parliament in 1871, and that recently presented to this House, the former showing the sum charged to Canada for arms, ammunition, and stores made over at or about the time of the withdrawal of the Imperial troops to be £168,808 16*s.* 10*d.*, the latter representing it as £92,327 13*s.* 8¾*d.*; why cast-iron guns of an obsolete character were charged for at their contract price when manufactured twenty-seven and twenty-nine years before; if it is not a fact that for a majority of the articles sold, including many of a perishable character, the rates charged exceeded cost price (as laid down in No. 1 Balance Sheet, War Office Price List), and in many cases even the Contract or No. 2 Balance Sheet prices; and whether any inquiry has been or will be set on foot into these matters?

Sir HENRY STORKS: Sir, the hon. and gallant Gentleman's Question consists of four parts, which I will deal with seriatim. 1. The Return of 1871 presented to the Dominion Parliament is not in our possession, but I can explain the facts of the alleged discrepancy. The value of the armaments and stores originally proposed to be handed over to the Dominion Government amounted to £168,808 11*s.* 3*d.* The Dominion Government subsequently decided not to take over about 25,000 Snider arms, and a large amount of Snider ammunition. Other modifications were made in the original list, which reduced the final amount to be paid by the Dominion Government to £92,327 13*s.* 8¾*d.* 2. The great majority of the iron guns were handed over at the price of old iron; but a few guns which had never been fired, and were available for conversion, or were of the recognized patterns in the service, were sold at the contract prices in England, without the addition of departmental charges, amounting to 15 per cent. 3. The instructions as regards the valuation of stores and the prices charged were as follows:—New stores and stores which are as good as new—cost price per Balance Sheet No. 2, Woolwich Vocabulary; used stores—reduction varying from one-third to two-thirds from cost price on Balance Sheet No. 2. The General Officer Commanding in Canada was, on the 5th of June, 1869, instructed to direct the Controller to submit to him the names of two or more officers specially selected for their competency to decide on the value of the stores to be handed over, and a copy of War Office Letter to Colonial Office, June 5, 1869, was also sent for the guidance of the General Officer Commanding, in which it is stated that such portions of the supplies as are likely to be required for the Forces of the Dominion should be offered to the Dominion on repayment of their present value, or at such moderately reduced rates as may be agreed upon by the officers of the respective Governments. 4. No inquiry as to the prices charged has been or will be made, as no complaint has been received from the Dominion Government on the subject.

BASTARDY LAWS—PROCEEDINGS IN BASTARDY.—QUESTION.

Mr. CHARLEY asked the President of the Local Government Board, Whether, considering that the existing forms of proceedings in Bastardy have been virtually repealed and are to some extent obsolete, he will take immediate steps for issuing new or altered forms in lieu thereof, pursuant to the powers vested in him by the new Bastardy Act of the present Session?

Mr. STANSFELD in reply, said, that he had already given instructions for the framing of new orders, and that as soon as they were framed and approved they would be issued.

ARMY—CONTRACTS FOR POWDER—BELGIAN AND ENGLISH PEBBLE POWDER.—QUESTION.

Mr. MALCOLM asked the Surveyor General of Ordnance, Whether any experiments have been made to test the strength and quality of the Belgian pebble powder; and, if so, with what results, as compared with that made by the Government and by private English firms; and, whether the Belgian pebble powder, contracted for at sixty-nine shillings per barrel, is of the same strength and quality as that marked P. on page 146, Statement C., of the manufacture in the Royal Gunpowder Factory, Waltham Abbey, and there stated to cost sixty-three shillings and threepence per barrel?

Sir HENRY STORKS: Sir, the Belgian pebble powder has been proved in the usual way, which consists in firing from one to three rounds, as may be found necessary, from an 8-inch gun with 35 lb. charge of powder and 180-pounder shot, to test the muzzle velocity and pressure within the gun. The velocity should be within the limits of 1,420 feet to 1,480 feet, and the pressure not exceeding 20 tons on any one point. It is also tested for density, size, and appearance of the pebbles and absorption of moisture. If the powder does not fulfil these tests it is rejected. As to the results, the percentage of rejections of the Belgian powder amounted to 26 per cent on the whole quantity supplied, while that of the private English firms varied from 28 per cent as a minimum to 49 per cent as a mean. As regards our own manufacture, it has to pass the same proofs as other powders supplied by the trade. The Belgian pebble powder, contracted for at 69*s.*, is delivered under the same specifications as the powder manufactured at Waltham Abbey during the year ending 31st of March, 1872, of which the price by Balance Sheet No. 2 was 63*s.* 3*d.*

THE TICHBORNE CASE—THE QUEEN *v.* CASTRO.—QUESTIONS.

MR. WHALLEY asked the Secretary of State for the Home Department, with reference to the payment of the witnesses for the defence of the Tichborne Case, Whether it is in his recollection that a Motion was made last Session for a Return of Copies of applications to the Solicitor of the Treasury for the payment of such expenses, and that the Right honourable Gentleman did on that occasion specify several of the applications that had been so made; and, whether he adheres to the statement on Monday last that no such application had been made; and, if he do not, whether he will consent to lay Copies of such application upon the Table?

MR. BRUCE: Sir, I entirely adhere to the statement I made on Monday, and it is also in my recollection that a Motion was made last Session, to the effect stated by the hon. Member. I referred to certain Memorials received at the Home Office and the Treasury from Hartlepool, Sunderland, and Southampton, praying that the Government would investigate the "incontrovertible evidence in the defendant's favour." There were two more from Newcastle-on-Tyne and Dewsbury, praying that the Government would pay the expenses of the trial. Now, in answer to the Question put to me the other day, I stated that the Home Office would readily undertake to consider, in conjunction with the Treasury, any applications made by the persons really concerned in the defence; but I do not consider that representations made by the majorities of public meetings or suggestions from private Members like my hon. Friend can form a proper basis for forming any decision in this matter.

MR. WHALLEY said, he had one further Question to ask. Assuming that he should feel it his duty, as it related to a question of fact, to publish the Correspondence which had passed between the Treasury and himself, would the right hon. Gentleman deem it his duty to prosecute him? He begged leave to point out, in explanation, that anything that was said, printed, or published tending in any way to influence the mind of the jury during the present trial was regarded as a contempt of court. He begged leave, therefore, to repeat the Question, and to ask, Whether, in the event of his publishing the Correspondence, his right hon. Friend would deem it his duty to prosecute him for contempt of court?

MR. BRUCE: I must refer my hon. Friend for an answer to the Attorney General, who is the officer of the Government charged with prosecutions in such matters.

MERCANTILE MARINE—CARDIFF MAGISTRATES—MR. PLIMSOLL.

QUESTION.

MR. HUSSEY VIVIAN asked the Secretary of State for the Home Department, Whether his attention has been drawn to a printed paper, dated "111, Victoria St., April 20th, 1873," signed "Samuel Plimsoll," which has been recently circulated among Members of this House, and which contains the following statement—

> "I had heard much of Cardiff and the adjacent ports. A large firm of shipowners told me five years ago that so bad was the system of overloading there (owing to the readiness of the bench to commit men to prison who refused service, and also to the general carelessness of life of seamen) that they had been obliged, very reluctantly, to take all their ships off the station, at great temporary loss, because they would not consent to make profit at the cost of drowning a crew now and then; and, loading their ships fairly, they were placed at too great a disadvantage. The managing partner of this firm

told me that ships were constantly sailing from Cardiff certain to founder if they met with rough weather;"

whether he has any reason to believe that so grave a charge against the bench of magistrates at Cardiff has any sort of foundation in fact; and, whether it is his intention to institute any inquiry with reference to such charge, or otherwise to enable the bench of magistrates at Cardiff to vindicate their conduct in the matter?

Mr. BRUCE: Sir, I suppose, in common with every other Member of this House, I received the letter which contains the statement referred to; but that statement was so vague and general that I did not think it necessary to refer to the stipendiary magistrate at Cardiff, because I thought it would be putting him in a very unfair position if he were called upon to answer a charge which was not sufficiently specific. I may say, however, that the stipendiary magistrate at Cardiff who deals with these cases had for many years been Chairman of the Quarter Sessions of the county of Glamorgan, and stands deservedly high in public respect. I had therefore, *primâ facie* reason to suppose that he never had committed a sailor to prison without proper reason. I may also add that since this Question was put on the Paper, I have received a letter, not addressed to myself, but written by the stipendiary magistrate, in which he says that a careful inquiry has been made into 60 cases which have occurred during the last year, and in only two of these cases was any defence made of overloading or unseaworthiness, and in only one of these the defence was substantiated, and defendants were released. But I may say that the proper place to investigate these statements will be before the Royal Commission; and I have no doubt my hon. Friend the Member for Derby, who has printed them, has inquired into the trustworthiness of his authorities, and that, when the time comes, he will be prepared to give proof of them.

ASSASSINATION OF CAPTAIN CHARLES AGNEW.—QUESTION.

In reply to Major Gavin,

Viscount ENFIELD said, that Colonel Stanton had reported on March 30 from Alexandria the death of Captain Charles Agnew, of the 16th Lancers, at Ismailia, after having been wounded at Suez on the evening of the 20th of that month. Both Mr. West, Her Majesty's Consul at Suez, and the Italian Vice Consul would appear to have acted with energy and promptitude, and three men undoubtedly implicated in the affair had been arrested; but, unfortunately, the early departure of the steamship *Golconda* prevented the evidence of two engineers of that ship being taken as to the identity of two of the men who were arrested. Orders had been sent to the Peninsular and Oriental Company's agent at Bombay to send these two men back to Suez as early as possible for the purpose of giving further evidence in the matter. Mr. Consul West stated, moreover, that the three men were retained in arrest by order of the Italian Vice Consul, Signore de Gayzueta, to whose prompt and energetic action in the matter he bore the highest testimony.

CUSTOMS AND INLAND REVENUE BILL.

(*Mr. Bonham-Carter, Mr. Chancellor of the Exchequer, Mr. Baxter.*)

[BILL 144.] COMMITTEE.

Order for Committee read.

Mr. STEPHEN CAVE said, before the Speaker left the Chair he wished to put a Question to the Chancellor of the Exchequer relating to the Conference on the Sugar Duties now sitting in Paris. It was stated by the newspapers in the latter part of last month that France and England were agreed upon the question with the exception of a few matters of detail, but that Belgium and Holland raised difficulties. It had since been stated that Belgium alone was opposed to refining in bond, to which the other three Powers had assented. The trade in this country was very anxious upon these points. Under the present system, the import of refined sugar into this country had increased from, in round numbers, 37,000 tons to 89,000 in nine years, and, at the same time, the number of refiners in London had dwindled from 23 to 3. This was very serious, and was caused, they learnt, by the large bounty given in France to the exporter, amounting to nearly £5 per ton; so that duty-paid French sugar was sometimes cheaper in London than that in bond in Paris. The circumstance that sugar was assessed according to colour led to the artificial colouring of refined sugar, called by a new term *déclassement*, the result of which was that sugar thus browned sold for more than white sugar because it paid less duty. The Convention had never worked well, though frequently amended. In this, as in other cases, we had been out-manœuvred by the foreigner. But we should be in a still worse position if the Convention were abrogated altogether, as some hon. Members had suggested. The English refiners were not afraid of their French rivals on fair ground with no favour; but they could not compete with those who were heavily subsidized out of the national Exchequer; and though the consumer, doubtless, profited for the moment, yet if the English trade was destroyed it did not require much foresight to predict that he would eventually pay dearly for his temporary advantage. He wished, therefore, to ask the right hon. Gentleman in what position the negotiations were at present; and whether there was any prospect of some really satisfactory arrangement?

THE CHANCELLOR OF THE EXCHEQUER said, that if the right hon. Gentleman had given him Notice of his Question he would have given him exact information upon the subjects to which it related. The Conference, as he understood it, was at an end, and they had arrived at three resolutions. It had, however, come to no resolution about refining in bond. The Conference had come to a resolution that for the future the colour of sugar should not be the principal test in France for refiners, and that, he apprehended, was favourable as far as it went to the trade. If the Question was repeated to-morrow, he should be in a position to give a more definite reply.

MR. STEPHEN CAVE said, he would repeat the Question to-morrow.

MR. W. H. SMITH said, that in some parts of London houses *bonâ fide* occupied for the purposes of trade had been rated from 6*d.* to 9*d.* in the pound, and complaints had been made on the subject to the Inland Revenue. He wished to know whether a clause would be introduced into the Bill to render the liability to rating of such houses clear, and whether the Secretary to the Treasury could give the House an undertaking that business houses should continue to be rated at 6*d.* in the pound?

MR. BAXTER said, he had been assured by the proper authority that it would not be necessary to introduce a clause, as what was necessary could be done by a Government regulation.

MR. HERMON said, he hoped that the House would receive some intimation from the right hon. Gentleman the Chancellor of the Exchequer as to the manner in which he proposed to secure the large sum of about £3,000,000 which he would require to pay the Alabama Indemnity. There were already symptoms in the money-market which led the commercial community to apprehend that, possibly, there might be such a disturbance of the market as would place them under severe pressure. It was not a question as to the Bank raising its rate to 6, 7, or 8 per cent, but whether a panic, with all its disastrous results, might not be occasioned. He trusted the right hon. Gentleman would consider the importance of this matter, as it affected the commercial interests of the country, and would let them know his plans in order that they might form their own.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title).

COLONEL BARTTELOT said, he thought this a convenient time to make one or two remarks in answer to an appeal made to him by the Prime Minister the other night. The right hon. Gentleman had asked him why he had not brought forward the malt tax in opposition to the income tax, and the right hon. Gentleman had answered that question himself. [Mr. GLADSTONE dissented.] The right hon. Gentleman shook his head; but he (Colonel Barttelot) perfectly well recollected his statement. The right hon. Gentleman asked how it was that he (Colonel Barttelot), who brought forward the malt tax in opposition to the income tax, could vote for the Resolution of the hon. Member for Westminster (Mr. W. H. Smith)? The answer to that was that no division took place; but with regard to the second point he would venture to point out to the right hon. Gentleman that if he (Colonel Barttelot) had brought forward the question of the malt tax in opposition to the income tax the Prime Minister would then, like his right hon. Friend who sat near him (The Chancellor of the Exchequer) have become the poor man's friend, and he would have stated that the income tax pressed very severely upon certain classes, and it would, no doubt, have been a very unwise course to have run the malt tax against the income tax. He had, however, received indications from certain quarters of the House which showed him that the malt tax question was making way. The question having been intrusted to him, he could only say that he should take what he considered a fitting opportunity of bringing it forward in this Session or the next — without entangling it with other questions which some hon. Members might think of as great or greater importance. He should, however, at the proper time do what was necessary to test the feeling of the House on the subject.

Clause *agreed to.*

Clauses 2 and 3 *agreed to.*

Clause 4 (Exemptions of hotel keepers, &c., from duty on servants, under 32 & 33 *Vict.*, c. 14).

Mr. CRAWFORD said, the clause related to the exemption of tavern and hotel keepers from duty in respect of servants wholly employed by them for the purpose of their business. He wished to know whether it rendered hotel-keepers who employed occasional waiters liable to pay duty in respect of these occasional waiters? There was a class of waiters who went about from hotel to hotel to do occasional work when any dinner was being given in any hotel where the ordinary staff of waiters was insufficient for the work, and it was to men so taken in for a day or two that this question applied.

Mr. BOWRING asked for a definition of male servants, because he said that a large number of tradesmen in Exeter had been charged 15*s.* for male servants because a porter or an errand boy in their service had occasionally cleaned a pair of boots or had cleaned knives. If the duty was rightly levied in such a case, the evasions were enormous. But as the only category under which such persons could be charged was as pages or waiters, he did not think the interpretation of the Board of Inland Revenue could be correct; he therefore appealed to the Chancellor of the Exchequer to devise some words by which such persons would be relieved from duty, as a real grievance was now experienced by their employers.

The CHANCELLOR of the EXCHEQUER said, the object of the clause was to exempt hotel-keepers and persons engaged in the sale of intoxicating liquors from duty in respect of persons wholly employed by them for the purposes of such business. Of course, if they were employed otherwise they would not come within the exemption. [Mr. Crawford: Are occasional waiters to be charged for?] That does not seem to be touched upon by this clause at all, inasmuch as he does not serve his whole time.

Mr. CRAWFORD said, that the understanding on the part of the public certainly was that hotel-keepers and other persons who were obliged to call in an additional number of waiters for temporary purposes were not to be charged. The waiters might be employed once only.

The CHANCELLOR of the EXCHEQUER understood the word "wholly," used in the clause, to refer to persons employed in no other capacity. However that might bear on the question of his hon. Friend he did not know. In reference to the Question of the hon. Member for Exeter (Mr. Bowring), he should say that any amount of employment in the capacity of a domestic servant would render the employer liable to the duty on male servants.

Mr. HERMON: Suppose the Chancellor of the Exchequer himself gives a dinner party and employs extra waiters, I want to know whether he pays, or do they pay their own taxes?

The CHANCELLOR of the EXCHEQUER: I cannot say whether they will pay their own taxes, because it is not put upon waiters; but I am quite certain the Chancellor of the Exchequer will not pay.

Clause *agreed to.*

Remaining clauses *agreed to.*

Schedule A.

Mr. NEWDEGATE: I wish to avail myself of this opportunity to make an observation or two before the Bill passes into law. In the debate which took place the other night the right hon. Gentleman the First Lord of the Treasury, at the close of a very eloquent speech, stated broadly that under the present Customs' tariff of this country the luxuries of the poor man are taxed, but that the luxuries of the rich are free of duty. [Mr. Gladstone: I said generally.] Yes, generally. Now, I am quite aware that I am entering upon a very wide subject; but I think it my duty to call the attention of the House to the danger indicated by the right hon. Gentleman the First Lord of the Treasury, and, indeed, to a great extent, created by himself. Since the year 1852, according to the Statistical Abstracts, more than £14,000,000 of Customs' duties have been abandoned—that is to say, more than £17,000,000 of these duties have been repealed or reduced—but something more than £3,000,000 of them have been re-imposed. So that, on the whole, £14,000,000 of Customs' duties have been abandoned since the year 1852, and among these duties—and forming a great part of them—were the duties upon the luxuries of the rich, precious stones, articles of decoration and of *vertu*, silks and other luxuries. Upon all these articles the duties have been repealed, and I hold that this excessive simplification of the tariff is dangerous in the extreme; because, when we have it stated on the highest authority in the House that the luxuries of the poor are taxed, whilst the luxuries of the rich are untaxed, I see nothing to withstand the process which this Bill is carrying out—namely, the gradual abolition of the remainder of the Customs' duties—and nothing in the condition of our financial regulations to prevent an additional aggregation of duties upon property. Years ago I entertained this apprehension, and, by anticipation, expressed this opinion; but now that I find the Legislature taking step after step to reduce the financial condition of this country to the dangerous point to which it is approaching, I think it my duty again to call the attention of the House to these facts.

Schedule *agreed to.*

Schedule B.

Mr. MACFIE said, that already a very large proportion of the reduction of duty on sugar had reached the consumers, and very shortly the whole of it would reach them. As to the malt duty, there was a very strong opinion growing in favour of temperance, and he did not think that it would be acceptable to the country that they should lower the duty upon malt or beer.

Mr. BOWRING pointed out that the proportion which Scotch and Irish farmers paid under Schedule B as compared with English farmers, was not a fixed proportion, but varied with every variation in the amount of the tax. He would like to know, in the case of the present year, how it was that whilst the duty under Schedule B in England was 1½*d.*, in Scotland and Ireland it was only 1¼*d.*?

The CHANCELLOR of the EXCHEQUER said, that one good reason was that the distinction had existed so long. He believed the reason why Scotland was charged less was that the people there paid higher rents than in England.

Schedule *agreed to.*

Bill *reported*, without Amendment; to be read the third time *To-morrow.*

REGISTER FOR PARLIAMENTARY AND MUNICIPAL ELECTORS (*re-committed*) BILL.

(*Mr. Attorney General, Mr. Hibbert.*)

committee. [*Progress 24th April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 9 (Double qualifications).

Mr. Alderman W. LAWRENCE moved, in page 7, line 19, to insert—

> "It shall not be necessary for a candidate for the office of common councilman of the City of London to be on such list for any particular borough to qualify him for the office of common councilman."

Amendment *agreed to.*

Mr. C. E. LEWIS moved, at end of clause, to add—

> "Provided, That in no case shall the revising barrister erase any such name until he has been satisfied by evidence on oath that the name of the person to be erased is that of a person entered on more than one of such lists."

He explained that his object was simply that the barrister should not be led by mere observations in court to strike names out of the list.

Mr. HIBBERT said, he hoped that the Amendment would not be pressed. The Act of 1867 made it the duty of the Revising Barrister to strike out a name if it should appear in more than one polling district, without receiving evidence upon oath.

Mr. C. E. LEWIS remarked that it frequently happened that in large boroughs the same name appeared several times upon the Parliamentary list, and if somebody in court said that the name referred to one person only when in fact it was not so, the barrister might strike names out of the list and unwittingly disfranchise persons.

Mr. R. SHAW said, he hoped that the Amendment would be persevered in.

Mr. LOCKE also expressed the same opinion. He knew an instance where the Revising Barrister was told that a man was dead, and was just about striking out the name when the man walked into the room. There should be evidence on oath in such cases.

Mr. HIBBERT said, he hoped that the Amendment would not be pressed, and upon Report he would bring up a clause upon the subject.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 10 (Grounds of objection to be specified in notice. 6 & 7 *Vict.* c. 18. Sec. 28 & 29 *Vict.* c. 36, s. 6).

Mr. RATHBONE moved, in page 7, line 39, after "objected to," to insert as a fresh paragraph—

"It shall be the duty of the overseers, in the interval between the publication of the lists of objections and claims in a parliamentary or municipal borough and the revision of the lists, to inquire, so far as may be, into the matter of the several claims or objections."

Mr. COLLINS said, he had no objection to an inquiry into claims; but he thought it very undesirable that they should have an inquiry into the matter of objections.

Mr. RYLANDS said, he hoped the Committee would not accept the Amendment. They ought not to impose upon the overseers any duties of this kind.

Mr. C. REED also thought it would be putting a very invidious duty upon the overseers.

Mr. GOLDNEY wished to know what the overseer was to do after he had made this inquiry. If he were to report to the Revising Barrister, then what ought to be done? He thought this was a fatal objection to the Amendment.

Mr. RATHBONE said, he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. CHARLEY moved, in page 8, line 2, at end, to add—"This section shall not apply to lodgers." He said it was very difficult to ascertain whether a person was entitled to the lodger franchise or not, and the present Bill originally contained no reference whatever to lodgers.

The ATTORNEY GENERAL said, he thought this Amendment would do away with the effect of the 5th clause by a side wind.

Amendment *negatived.*

Clause *agreed to.*

Clause 11 *agreed to.*

Clause 12 (Costs of objection).

Mr. C. E. LEWIS moved, in page 8, line 17, to leave out—"or to any person claiming to be on such list of voters."

Amendment *agreed to.*

Mr. C. E. LEWIS complained that under this clause they narrowed the discretion given by the present law to the Revising Barristers to award costs.

Clause *agreed to.*

Clause 13 (Proceedings on objection made to voters).

Mr. C. E. LEWIS said, the clause required a Revising Barrister, previously to hearing any objection, to institute a preliminary inquiry on oath as to the *bona fides* of the objector. He moved, in page 8, line 29, to leave out all after "require," down to and including "satisfaction," in line 29, and insert—

"The objector to state the ground of his objection against such person, and unless the revising barrister shall be satisfied that such objection has been made bonâ fide, and that there exists primâ facie some ground for putting the person objected to to the proof of his qualification."

Mr. ASSHETON CROSS objected to throwing the duty of preparing the lists of voters on the overseers, who were by the clause required to discharge such duty without additional pay. They all knew that the overseers' lists, if not revised periodically, would become gradually defective and corrupt.

The ATTORNEY GENERAL said, he was unable to accept the Amendment. The object of the clause was to prevent frivolous objections.

Mr. C. E. LEWIS said, it would be impossible to carry on a proper system of registration, especially in counties, under the clause.

Mr. SPENCER WALPOLE said, the difficulty arose from the clause being made to apply both to the attendance and non-attendance of the voter to support his vote.

MR. COLLINS thought that the objector ought to be able to state his belief without giving actual personal proof, which in some cases was almost impossible.

MR. WHALLEY said, the Liberal party in Liverpool intended by means of this Bill largely to recruit their strength by putting 1,000 or 2,000 fictitious voters on the register, trusting to the deterrent effect of the 40*s.* penalty to prevent their being objected to.

MR. RATHBONE said, the intentions of the Liberal party in Liverpool were to have as pure and as good a register as possible. The monstrous assertion of the hon. Gentleman formed part of a delusion.

MR. W. H. SMITH hoped no difficulty would be thrown in the way of a just and fair objection.

Question put, "That the words 'primâ facie proof to be given to his satisfaction' stand part of the Clause."

The Committee *divided*:—Ayes 169; Noes 103: Majority 66.

Clause *added* to the Bill.

Clauses 14 and 15 *agreed to.*

Clause 16 (Successive occupation).

MR. COLLINS moved to omit the clause, on the ground that its tendency would be to invite objections. If a man resided only for two or three days at one house his name could be put upon the register, though he might reside elsewhere for the remainder of the twelve months, the present law requiring that he should occupy the same premises for a year to entitle him to a vote. The clause would give great power to the overseer, and throw upon the public a burden of objections.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 127; Noes 66: Majority 61.

Clauses 17 and 18 *agreed to.*

Clause 19 (Expenses and receipts of town clerks. 6 & 7 *Vict.* c. 15, s. 55.)

MR. CAWLEY moved, in lines 12 and 13, the omission of the words "or overseers," on the ground that overseers were in the habit of making charges against town clerks for the work they did, not as part of their regular duties as "overseers," but as an extra fee altogether for work done in the capacity of individuals. If the words he objected to were allowed to remain, overseers would make one charge against the borough for preparing lists, and also another charge at their own will and pleasure, and as there was no audit in respect of such latter payments there was no control over them.

THE ATTORNEY GENERAL said, he could not follow the hon. and learned Gentleman in his objection. This clause made no alteration in the existing law. It merely extended the operation of the law to the expenses, whatever they might be, incurred by the overseers in the performance of the duties imposed upon them by the Act.

MR. CAWLEY repeated that the charge was made, not as overseers, but as individuals.

THE ATTORNEY GENERAL, on the suggestion of the hon. Member for South-West Lancashire (Mr. Cross), agreed to consider the point before Report.

Amendment *withdrawn.*

Clause *agreed to.*

Remaining clauses *agreed to.*

THE ATTORNEY GENERAL moved, after Clause 8, to insert the following clause (Power to arrange lists by streets).

Clause *agreed to.*

MR. GREGORY (for Mr. LOPES) moved, after Clause 16, to insert the following clause (Suitable places to be procured for revising barristers' courts).

Clause amended and *agreed to,* and *added* to the Bill.

MR. RATHBONE (for Mr. JAMES) moved, after Clause 17, to insert the following clause (Evening sittings of revision court).

Clause *agreed to,* and *added* to the Bill.

MR. H. R. BRAND moved, after Clause 24, to insert the following clause (List of persons disqualified by parochial relief).

Clause *agreed to,* and *added* to the Bill.

MR. CHARLEY moved the following clause (Power to alter number of revising barristers to be appointed under 6 and 7 Vic. c. 18, s. 28).

Clause *agreed to,* and *added* to the Bill.

MR. COLLINS moved the following clause (Repeal of part of forty-fourth Clause of 5 and 6 Will. 4, c. 76).

Clause *agreed to,* and *added* to the Bill.

Mr. C. E. LEWIS moved the following clause (Town clerk not to act as agent).

Clause *agreed to,* and *added* to the Bill.

On Motion that the first Schedule stand part of the Bill,

Mr. C. E. LEWIS called attention to the particular dates in the Bill, at which various operations under it were to be effected or carried out as being impossible or impracticable for effecting the objects proposed.

Mr. HIBBERT said, the Government had decided to accept the proposal of the hon. Member for Boston (Mr. Collins), and instead of the 24th of June being the qualifying period, the date would be the 31st of May. The advantage of that would be to give more time for all the earlier steps in the preparation of the register. The earlier dates would all be put back just two months, beginning with the 5th of January, which date would be altered to the 1st of November. He thought these alterations would be a great improvement. During the present year everything would go on as it was now with respect to the present law as to the lists. There would be no alteration. They would have to provide for postponing the operation of the register only until next January.

Schedule amended, and *agreed to.*

Second Schedule.

Mr. GREGORY moved, in page 17, Form A, column 3, to leave out "shed," and insert "building."

Motion *agreed to.*

Bill *reported;* as amended, to be considered upon *Friday* 16th May, and to be *printed.* [Bill 158.]

CONVEYANCING (SCOTLAND) BILL.

(*Mr. Secretary Bruce, The Lord Advocate, Mr. Winterbotham.*)

[BILL 108.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. GORDON said, the Bill had come on sooner than he had expected. As his hon. Friend the Member for Bute (Mr. C. Dalrymple), who had given Notice of his intention to move that the Order for the Committee should be discharged; and that the Bill should be referred to a Select Committee was not present, and the Lord Advocate himself was not in the House to listen to what he was about to say, he thought it was desirable that this measure should not be proceeded with to-night. Moreover, the Writers to the Signet in Scotland, a most influential body, had drawn up a Report upon the Bill, which would be in the hands of Scotch Members either to-night or to-morrow morning, and he thought it important that the Report should be seen by the Members of the House before they proceeded any further with the Bill. He knew that the Writers desired that the Bill should be referred to a Select Committee, and that was the proposal of the hon. Member for Bute. They were all agreed as to the object they had in view — that was, that all unnecessary titles should be abolished, and that economy in the granting of the charters was desirable, and the only question was how these things should be effected. He appealed to the Lord Advocate to put off this Bill until next week, so as to afford the House an opportunity of considering the views expressed by the conveyancers of Scotland. He thought this no unreasonable request — especially as there were not more than eight or ten Scotch Members present. However, he should discharge his duty by moving that the Bill be referred to a Select Committee.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee," — (*Mr. Gordon,*) — instead thereof.

The LORD ADVOCATE said, the hon. and learned Gentleman opposite had expressed with great repetition his great desire that this Bill should not be proceeded with now, or if that wish expressed by him should not be assented to on this side of the House, that it should be referred to a Select Committee. He agreed with him that the Bill was one of great importance, and that it was a Bill of great detail, such as ought to receive from the House as much consideration as it would receive from a Select Committee; but he could not consent either to delay the consideration now or to refer it to a Select Committee.

As to the Report of the very important body—the Writers to the Signet—to which the hon. and learned Gentleman had referred, he (the Lord Advocate) had received a copy of that document; as no doubt his hon. and learned Friend had also; and he had to say in answer, that he did not propose to pass any of the clauses of the Bill to-night to which that Report particularly referred, or that he should pass them until an opportunity had been had of considering the suggestions it contained. He must resist, and ask the House to decide on the Motion which had been submitted by the hon. and learned Gentleman on behalf of the hon. Member for Bute—namely, that the Bill be referred to a Select Committee. It had been before the House substantially as it now stood for three years—he might almost say four years—and therefore he held it quite reasonable that they should proceed to the consideration of it now in the ordinary way. They were now in the position to do so, if they ever could be. No doubt the Bill was of a very technical character, and was therefore well suited for discussion in a Select Committee. But the same might be said of any other Bill relating to a technical subject, and the Bill having been before Parliament at least three years, he thought they were not likely to get much more assistance from the professional bodies in Scotland. He must therefore ask in the interest of progress that there should be no further obstruction or delay, and that they should proceed with the consideration of the Bill.

DR. BALL said, there was no subject which could be more appropriately referred to a Select Committee than a subject of Scotch law. The Prime Minister recently denied that Irish Members should deal alone with an Irish question, even when they were unanimous, and said that Scotchmen and Englishmen had a right to be heard. He claimed the same right with regard to Scotch subjects. So singular were the terms in Scotch law, so extraordinary were its peculiarities, that no lawyer of the Irish or English Bar could of himself, without some assistance, arrive at the meaning of them. Further, few persons, even of legal experience, could understand many of the terms used in this measure, and therefore he thought the best means of dealing with it would be to refer it to a Select Committee. In Ireland prolixity in conveyancing had been much diminished, owing to the example and practice of the Encumbered Estates Court. You might carry in your waistcoat pocket a deed of that Court conveying a large estate, and upon which you might raise money safely. He desired to establish in England and Scotland the same cheap and expeditious system of conveyancing which had been introduced in Ireland. It was desirable that a Select Committee should consider the measure, with the view not of delaying it, but that it might be well considered by legal minds before being passed by a majority who did not understand its provisions.

SIR EDWARD COLEBROOKE said, that as he understood the remarks of the hon. and learned Lord Advocate on the recommendations of the legal and professional bodies in Scotland, he was not inclined to press that part of the Bill on which there might be any expectation that the House would receive any suggestions from that quarter. He had himself seen in confidence the Report of the Writers to the Signet which was not yet complete, and he might say that difficulties would arise on some details, particularly in reference to the third clause. He was also informed that the legal body in Glasgow had the subject under consideration. The Bill was now changed for the better. It was a moderate Bill, and he for one was disposed to support the going into Committee, though in some parts there might be considerable difficulties to overcome. Hitherto, when the Bill had been brought on, it had been brought on at such an hour that it was impossible that it could be fairly considered, and he thought it might be fixed for a time when the House would pay some attention to it. If Her Majesty's Government would listen to the suggestion for going into Committee and reporting Progress, he hoped they would be able at a future stage to get a morning sitting, and to discuss the Bill with advantage.

MR. CHARLEY thought the Committee of the Whole House at a morning sitting on this Bill, would be a very Select Committee indeed, and he hoped the country would take notice that there were only six Members on his side of the House when the Lord Advocate proposed to go on with the Bill. It was said to be a good Bill, but he gathered from one or two Memorials which had been sent to him on the subject, that it was anything but a moderate Bill. One of its provisions proposed to attack property acquired by the Church of Scotland under Sir James Graham's Act, of the value of £400,000, and he trusted that if the Amendment were not acceded to, Progress would be reported as soon as they got into Committee.

Mr. M'LAREN said, he was not going to discuss the merits of the Bill. He thought the suggestion for reporting Progress as soon as Committee was got into was a fair one, but what he rose to say was, that he objected to the proposal of the hon. Member for Lanarkshire (Sir Edward Colebrooke) to take the Bill at a morning sitting. That course had been taken before with something like this result—that English and Irish Members did not attend, and they might just as well allow the Government to carry the Bill in any way they liked. Besides he could not but think it disrespectful to shove off the business of Scotland into a Committee in order that the business of the other parts of the Empire might be transacted. They had, he thought, the same right to have their business considered in the early part of the evening as English and Irish Members.

Mr. BRUCE said, he quite agreed with what had just been said, and thought it would be most convenient that they should go into Committee and that Progress should be reported, in order to give time for expression of opinion by those learned bodies, and also to give an opportunity to the hon. and learned Gentleman opposite (Dr. Ball) to master those legal laws which were so strange to him. No doubt when he had accomplished this the hon. and learned Gentleman would be able to afford valuable advice. At the same time there was no disposition on the part of the Government to proceed further than reporting Progress.

Mr. STAVELEY HILL said, he would draw attention to what took place with regard to the English Bill 40 years ago. The Bill for improving English conveyancing in the reign of William IV. was referred to a Committee of lawyers, with Mr. Carr at their head, and on their recommendation a Bill was passed by the House which, though it might need amendment now, had stood the test of 40 years' working. He suggested the propriety of adopting a similar course on the present Bill.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

Bill *considered* in Committee.

Committee report Progress; to sit again upon *Monday* next.

SUPERANNUATION ACT AMENDMENT BILL—[Bill 135.]

(*Mr. William Henry Gladstone*, *Mr. Baxter*.)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Baxter*.)

Mr. BAXTER rose to explain that the object of the measure was to repair an accidental omission on the part of the heads of one or two Departments of State, especially of the War Office. Under the Superannuation Act of 1859 a certificate of qualification from the Civil Service Commissioners was a necessary condition for obtaining a pension. It had been discovered, however, that a considerable number of persons had been going on for years working at lower salaries than they could have got elsewhere, under the conviction that they would be entitled to receive pensions; but when the Treasury refused to grant them they stated that the heads of the Departments had not told them of the necessity of procuring certificates from the Civil Service Commissioners. In 1871 pensions were refused to no fewer than 225 artificers employed at Woolwich under the War Office. They had all entered the service after 1859; but the authorities had failed to inform them of the necessity of obtaining a certificate from the Civil Service Commissioners. The same thing occurred in the case of other *employés* under the War Office. Two sergeants in the Military Hospital at Chelsea and two officials in the Convict Department in Tasmania were likewise refused pensions. All these, believing they would be pensioned, had served at lower salaries than they would otherwise have received, and the Bill simply proposed to put them in the same position as they would have occupied if the heads of Departments had told them immediately what it was necessary for them to do.

MR. J. FIELDEN, in rising to move the rejection of the Bill, said, it was a very remarkable thing that neither on its introduction nor on the occasion of its second reading was the slightest reason adduced for it by any Member of the Government. He was unavoidably absent at the time of the second reading; but he had read the reports in *The Times*, which, he supposed, was generally looked on as an authentic record of what occurred in Parliament. The measure professed to deal with certain cases which did not come under the operation of the Superannuation Act of 1859; but it was most extraordinary that the omission referred to by the right hon. Gentleman had not been found out till the year 1873. He could not understand such negligence on the part of heads of Departments. The Superannuation Fund was rapidly increasing, and he intended to do what he could to strike at the root of the system. He was satisfied it led to a class of men being employed who were very inefficient public servants. Again, when a Government was hardly pressed there was such an inducement to abolish old offices, in order to pension off the holders of them, and then to create new ones for the hangers on of the Government that the system became most demoralizing in its operations. The Bill of 1859 was warmly discussed, and Sir Henry Willoughby strongly objected to it, predicting what its effect would be. The right hon. Baronet the Member for North Devon (Sir Stafford Northcote), whose name was on the back of the Bill of 1859, stated that the increase caused by that Bill would not be more than £70,000 a-year at the outside; and, in reply to the late Mr. Wilson, who estimated the increase would be £100,000, the right hon. Baronet expressed his belief that it would be nearer £50,000 than £70,000. In 1859 the superannuation allowances in the Civil Service were, in round figures, £167,000. They increased to £256,000 in 1869, to £338,000 in 1870, to £399,000 in 1871, to £415,000 in 1872, and to £416,000 in 1873; while the estimate for 1873-4 was £424,000. These figures, he thought, would justify the House in resisting any measure which tended to increase superannuation allowances; and he therefore would conclude by moving that the House resolve itself into Committee on that day six months.

MR. MELLOR seconded the Motion, on the ground that an examination of the Estimates for a series of years showed that the superannuation allowances added to the non-effective services showed a total of £5,250,000.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Joshua Fielden,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL BARTTELOT pointed out that, according to the right hon. Gentleman's statement, the Government were paying lower salaries to men than they would otherwise receive by holding out to them the hope of obtaining pensions. This was a most mischievous system, which ought not to be tolerated by the House, and he should therefore vote for the Amendment of his hon. Friend (Mr. Fielden).

MR. WHITWELL concurred with the hon. and gallant Gentleman in thinking this a most mischievous system, which they ought not to tolerate. These superannuations caused a regular annual increase of the National Debt. The Government ought to pay their servants properly, and not throw the burden of their superannuations upon posterity.

MR. DICKINSON said, the explanation of the circumstances which rendered this legislation necessary had just been stated for the first time, but could not be declared satisfactory. Was the House dealing with cases before or after 1859? [The CHANCELLOR of the EXCHEQUER: After 1859.] It was said that these public servants had been appointed inadvertently, and he admitted that it would be unfair to visit the fault of the heads of Departments upon their subordinates. But it would only be reasonable first to show that they were competent for the work they undertook to perform, and before they got their pension they should obtain their certificate. He could not see the propriety of granting pensions after only 12 years' service. In Committee he should move a clause that the persons concerned should only be entitled to their pensions on receiving the certificate of the Civil Service Commissioners.

Question put.

The House *divided*:—Ayes 110; Noes 43: Majority 67.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

Bill *considered* in Committee.
(In the Committee.)

Clause 1 (Amendment of Superannuation Act, 1859).

Mr. DICKINSON moved the introduction of the words "Civil Service," with the view of subjecting to examination and to the necessity of obtaining a certificate the persons already in Government employ who had not undergone examination.

The CHANCELLOR of the EXCHEQUER said, that an Act of Parliament had been passed requiring persons to pass a Civil Service examination before they were admitted to the Civil Service, but a number of persons had been working for many years in the different Departments without having, through inadvertence, submitted themselves to examination and obtained the requisite certificate; and by this Amendment, after 10 or 12 years of meritorious service, they were to be tested to see if they were fit. He thought that was a gross injustice.

Mr. RYLANDS said, this was an attempt to whitewash the heads of Departments, and pay pensions to persons who had been improperly appointed by them. If the Act of Parliament were a wise one, the House should uphold it, and insist that gentlemen who had not fulfilled the conditions it imposed should either forfeit its advantages or bring themselves within its provisions by submitting to the necessary examination.

Sir HENRY STORKS explained that the Bill referred chiefly to workmen employed in the gun factory at Woolwich, and as far as the War Office was concerned the amount at issue was inconsiderable. These persons having been appointed through inadvertence on the part of the heads of Departments, they had an equitable claim to consideration; and, on the recommendation of the Secretary of State for War, the Treasury had agreed to provide for their claim in this Bill.

Colonel WILSON-PATTEN said, he thought the wording of the Bill too general. If it applied only to artificers at Woolwich he should have no objection to the Bill; but for all that appeared on the face of the Bill, there was no limitation, and it would apply to the whole Civil Service.

Mr. O'REILLY believed the Bill applied also to warders in prisons and to some appointments in the Post Office. If some words were introduced into the Act rendering it clear to whom it was to apply the opposition to the measure would disappear altogether. Why not, instead of several public Departments, say certain public Departments? He did not think it would be well to compel the men to submit to the examination now. He did not think that he could pass the examination which was required of him years ago.

Mr. DICKINSON said, it might have been proper to insist on the examination with regard to the men appointed between 1859 and 1861, but perhaps not with regard to the other hands. He thought that before the Bill was passed a list of those who were to be benefited by it ought to be laid before the House.

Mr. ASSHETON CROSS said, he thought the best course which the Committee could pursue would be to report Progress, so as to give the Government an opportunity of introducing words into the Bill limiting its application to the persons to whom it was intended to apply.

Mr. BRUCE contended that the language of the Bill expressly limited its operation to certain persons.

Dr. BALL, having the greatest confidence in Her Majesty's Government in all matters of finance, would vote for them on the present occasion, especially as he was satisfied that the right hon. Gentleman the Chancellor of the Exchequer would never have sanctioned the introduction of a Bill to pay money merely from motives of generosity of benevolence, nor indeed unless he had been forced to it by considerations of inexorable justice.

THE CHANCELLOR OF THE EXCHEQUER said, he thought it desirable that the words of the Bill should be sufficiently wide to include all those whose cases ought to fall within its operation. The second recital of the Bill limited its operation to the case of those who, being perfectly innocent themselves, by the default of their superiors had not obtained the necessary Civil Service certificate. Was it the wish of the House of Commons that in consequence these persons should be deprived of the pensions which they had fairly earned?

MR. R. SHAW read the first section of the Bill to show that under it Her Majesty's Government would have the power of applying its provisions to the case of any person they chose, and that they would, therefore, have an unlimited power of pensioning. He should vote for the Committee reporting Progress.

MR. GREGORY said, he thought the Bill should be left as it stood, and that the responsibility for carrying it into effect should be thrown upon the heads of Departments.

MR. RYLANDS said, he wished to restrict the Bill to the artificers mentioned by the Surveyor General; whereas the Chancellor of the Exchequer would open the door to pensions being given to persons in higher positions. He had no confidence in the heads of Departments, through whose neglect of duty many thousands of pounds had been unnecessarily charged on superannuation funds. If other cases came to light, the Government could bring in a second Bill. He would support the Motion for reporting Progress.

MR. J. FIELDEN said, he thought that the persons for whom the Bill was intended should be placed in a Schedule, so that it might be known definitely to whom it would apply.

MR. OSBORNE MORGAN expressed surprise that the Chancellor of the Exchequer, who was usually represented as a close-fisted economist, should now be described as a lavish spend-thrift. If the Bill were restricted, as suggested, an accidental omission would necessitate the introduction of another Bill.

MR. D. DALRYMPLE said, he did not see why the Bill should not include all classes of Civil servants, who by inadvertence of their superiors had omitted to obtain their certificates.

MR. WHITWELL agreed that the Bill should be more strictly limited in its operation.

MR. GLADSTONE said, he was sure the Committee were anxious to do justice to public servants, and in any case of doubt to give them the benefit of it. His right hon. Friend (the Chancellor of the Exchequer) had stated that he could not undertake to give the names beforehand, it being impossible to tell precisely who would be found to come within the scope of the Bill, and it was undesirable that Bills should be brought in to include one individual after another in the benefit of the measure. The Government had no objection, within a reasonable time, to lay on the Table of the House the names of the persons to whom the Bill should apply, such list to be completed by the next Session.

COLONEL WILSON-PATTEN said, he did not understand why the limit of time in the Bill should extend as far as 1875. If the names were submitted to Parliament for consideration, there could be no objection to the measure, but their decision should be final.

MR. GLADSTONE said, he thought that the House should not have the function of deciding on each individual case; but he would agree to limit the time for making known the claims under the Bill to three or six months.

MR. ASSHETON CROSS, thinking the right hon. Gentleman had fairly met the difficulty, would withdraw his Motion for reporting Progress.

Motion, by leave, *withdrawn.*

Amendment (*Mr. Dickinson*), by leave, *withdrawn.*

MR. OSBORNE MORGAN moved, in page 2, line 12, after "Commissioners," to insert—

> "A certificate from the Civil Service Commissioners shall not be deemed to be necessary to entitle any officer of the High Court of Chancery, or of any judge thereof, who shall have been appointed prior to the passing of this Act, or on his subsequent promotion to any compensation, pension, retiring annuity or superannuation allowance, to which he may be entitled by virtue of any Act or Acts of Parliament now in force; but it shall be lawful for the Lord Chancellor, with the concurrence of The Lords Commissioners of Her Majesty's Treasury, to require any person to be hereafter appointed an officer of the Court of Chancery, or of any judge thereof, to pass such examination as they may deem necessary."

His Amendment was required as an act

of justice to those who had been appointed prior to the passing of the Act.

Mr. BOWRING pointed out that such an Amendment was not within the scope of the Bill according to its title.

Mr. OSBORNE MORGAN admitted that the objection was fatal, and would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. ASSHETON CROSS expressed a hope that the clause promised by the Prime Minister would be brought up on the Report.

Mr. GLADSTONE said, it should be so brought up.

Mr. RYLANDS said, he thought the clause ought to be discussed in Committee.

Mr. GLADSTONE said, that if any difficulty requiring minute discussion should arise upon it the Bill should be re-committed.

Clause *agreed to.*

Bill *reported;* as amended, to be considered upon *Monday* next.

PUBLIC HEALTH BILL—[Bill 99.]

(*Sir Charles Adderley, Mr. Francis Sharp Powell, Mr. Whitbread, Lord Robert Montagu, Mr. Stephen Cave, Mr. Richards*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [7th May], "That the Bill be now read a second time;" and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to add to the duties at present imposed upon sanitary authorities constituted by the Act 1872, until their powers are better defined by a consolidation of the statutes, and appointments have been completed in conformity with the intention of the Act,"—(*Mr. Corrance,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Colonel BARTTELOT complained that the Government had not fulfilled the promise they made last Session, when they were hurriedly pressing forward a Bill on the subject of the public health, that they would this Session propose a measure for the consolidation of the statutes on the subject of the public health. He objected to the second reading of a Bill of this importance—for which the House was indebted to his right hon. Friend (Sir Charles Adderley), and not the Government—after midnight. He hoped ample time would be allowed to discuss this important measure in Committee.

Mr. R. N. FOWLER said, he hoped the Bill would be allowed to proceed.

Mr. CLARE READ said, he hoped opposition to the Bill in its present state would be withdrawn, and that the Bill would be carefully considered in Committee.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

AGRICULTURAL CHILDREN BILL.

(*Mr. Clare Read, Mr. Pell, Mr. Akroyd, Mr. Kay-Shuttleworth, Mr. Kennaway*)

[Bill 8.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Clare Read.*)

Mr. MUNDELLA said, he was sorry to be obliged to oppose this Bill, coming as it did from the other side of the House. The Bill provided no means of inspection, and no local authority for carrying it out. The Bill, if carried in its present shape, would be utterly valueless—it would be a dead letter. What he wanted was that the Bill should be made operative. If the hon. Member (Mr. Clare Read) would say that he would accept inspection and make some other necessary amendments, he would be happy to withdraw his opposition. Unless the hon. Gentleman would accept this proposal, he would move that the Bill be read a third time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Mundella.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. CORRANCE said, he would support the rejection of the Bill for reasons diametrically opposite to those of the hon. Member for Sheffield. It was difficult to cultivate the land advantageously at the present prices of labour; and if boys were to be kept off until they were 13 years of age, they would never come on the land at all. On these grounds he asked the House if it was prudent to allow this measure to go further.

MR. BEACH supported the third reading of the Bill, as a Bill calculated to produce a considerable advancement in the interests of the country.

LORD EDMOND FITZMAURICE said, he was sure the agricultural labourers of the country were thankful to the hon. Member for South Norfolk (Mr. Clare Read) for having placed his name on the Bill. He would suggest the recommittal of the Bill, that certain Amendments which he had formerly put on the Paper, relating to the number of attendances at school, and the age at which children might be allowed to commence work, might be considered.

MR. BRUCE agreed with much that the hon. Member for Sheffield (Mr. Mundella) had said; but did not think it fair when the measure had gone through discussion, and various Amendments had been disposed of, that they should be asked to consent to its being referred again to Committee.

MR. T. E. SMITH said, he thought it better to take the Bill as it was than to run the risk of having no Bill at all.

MR. FAWCETT said, the Home Secretary had misunderstood the hon. Member for Sheffield (Mr. Mundella), and he would suggest that the hon. Member should withdraw his opposition and let the debate be adjourned to some other night, when they could discuss the question of the Amendments which should be introduced in it.

MR. CLARE READ declined to accede to that suggestion.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

House adjourned at a quarter after One o'clock.

* * *

HOUSE OF LORDS,

Friday, 9*th May*, 1873.

MINUTES.]—PUBLIC BILLS—*First Reading*—Agricultural Children* (102); University Tests (Dublin) * (103).

Third Reading—Elementary Education Provisional Order Confirmation (No. 2) * (69); Elementary Education Provisional Order Confirmation (No. 3) * (78); Land Drainage Provisional Order * (70), and *passed.*

CONSTABULARY (SCOTLAND) SUPERANNUATIONS.—QUESTION.

THE EARL OF MINTO asked whether it was the intention of the Government to introduce a Bill for establishing a system of pensions or superannuations for the Scottish constabulary? He believed that the case of the Scottish constabulary was peculiar, for they were the only police force in the three Kingdoms for whom no means of pensions or superannuation had been provided. There was no doubt at all events that the Metropolitan police, the Irish police, and the English county police were so provided for, and he could never understand why a similar provision had not been made for the Scottish. He had before drawn their Lordships' attention to the singular fact that in the Act which regulated the Scottish constabulary, no provision was made for pensions or superannuations. Subsequently the subject had been repeatedly mentioned in that House. In 1868 their Lordships appointed a Committee to inquire into the subject of the police. That Committee came to the conclusion that provision for pensions and superannuations was very desirable. Nothing, however, was done, and he had been asking questions on the subject very regularly up to three years ago without getting a satisfactory answer until on the last occasion the noble Earl (the Earl of Morley) replied that the subject was under the favourable consideration of the Government. Still, nothing was done; and he was now informed by good authorities that the men who had remained content under the expectation raised by this answer, were becoming dissatisfied, and that it was becoming more and more difficult to obtain recruits for the force. He trusted the noble Earl would be able to give a favourable answer to the Question he had put.

THE EARL OF MORLEY said, the Government were of opinion that such a system as that referred to in the Question of the noble Earl was one to be desired. All the materials had been collected with the view to the introduction of a Bill for the superannuation of the

English and Scotch police, and he believed the Bill had been actually drafted; but, unfortunately, the Government were so pressed for time, and had had so much business on hand in the last two or three Sessions, that they had found it impossible to bring the measure under the notice of Parliament. In the present Session the question of local taxation was under discussion, and as in that taxation there was a serious item for police charges, it would be impossible to propose any provision for superannuation out of local rates.

House adjourned at half-past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 9th May, 1873.

MINUTES.]—SELECT COMMITTEE—*Second Report*—East India Finance [No. 194].

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES.

PUBLIC BILLS — *Resolution reported — Ordered —First Reading*—Canada Loan Guarantee* [159].

First Reading—Fulford Chapel Marriages Legalisation* [160].

Select Committee — Tithe Commutation Acts Amendment* [81], *nominated.*

Committee — Report — Metropolitan Commons Supplemental (*re-comm.*)* [153]; Local Government Board (Ireland) Provisional Order Confirmation* [139]; Railways Provisional Certificate (*re-comm.*)* [156].

Considered as amended — East India (Loan)* [103].

Third Reading—Customs and Inland Revenue* [144]; Matrimonial Causes Acts Amendment* [101], and *passed.*

RAILWAYS—COMMUNICATION BETWEEN PASSENGERS AND GUARDS. QUESTION.

MR. WATNEY asked the President of the Board of Trade, Whether, in consequence of the cord communication between passengers and guards in Railway trains having proved a failure, the Board of Trade, upon the 19th July 1872, signified that they would withdraw their approval of this system of communication from and after the 1st January 1873; whether any steps have been taken by the Board of Trade to enforce their order and to require the Railway Companies to adopt some more efficient means of communication; and, if any and what form of communication has been approved of by the Board?

MR. CHICHESTER FORTESCUE, in reply, said, the hon. Member for East Surrey had correctly stated that the Board of Trade intended to withdraw their approval of the present cord communication after the 1st of January of the present year, but in consequence of the difficulty the Railway Companies had experienced in agreeing upon an improved mode of communication to be submitted to the Board of Trade, he had determined to extend the time. Meanwhile, experiments had been made of an improved mode of communication similar to that generally adopted in the United States. The experiments were made on a train in the presence of the managers of most of the Railway Companies and some of the officers of the Board of Trade. The result was that the new system, which was a system of passing a cord through the carriages inside under the lamps, and about three inches below the roofs, had been submitted to the Board of Trade. He had not been able to give his positive approval to the system, but he had given it his sanction for three months in order that it might be fully tried.

BRAZIL—BRITISH EMIGRANTS. QUESTION.

MR. FLOYER asked the Under Secretary of State for Foreign Affairs, Whether any and what communications have been received from Her Majesty's Consuls at Rio Janeiro upon the condition and prospects of the working men and their families who upon various representations have lately emigrated from this Country to Brazil?

VISCOUNT ENFIELD: Communications, Sir, have been received at the Foreign Office from members of Her Majesty's Legation at Rio Janeiro upon the condition and prospects of emigrants to Brazil; and it is at present under consideration as to what portions of those communications should be made public, due regard being had to the interests of the British public and the Brazilian Government. Of course, whatever portion is made public, will, in the usual way, be presented to the House. Under these circumstances, I cannot reply more explicitly to the

Question just addressed to me by the hon. Member for Dorsetshire.

ARMY—THE 21ST R. N. B. FUSILIERS. QUESTION.

CAPTAIN TALBOT asked the Secretary of State for War, Whether the exigencies of the service required that the 21st R. N. B. Fusiliers should, after a long service in India, be brought home in mid-winter and at once stationed in the north-east of Scotland; and, whether, with the object of diminishing the loss of life and suffering to the troops and the women and children, caused by the sudden and extreme change of climate, it cannot be arranged that regiments should arrive at some other time of year, or at all events be stationed on their first arrival in the milder parts of the United Kingdom?

MR. CARDWELL: Sir, the proper season for the Indian reliefs is not the hot time of the year, but the winter. The arrangements for the transports are made accordingly, and no battalion can be brought home at any other season. When the 21st Royal North British Fusiliers arrived in England from India during the last winter, they were sent to Stirling, in conformity with the usual practice, which was always to send Scotch regiments to Scotland, both for the convenience of men going on furlough, and because it was the natural inclination of the men to get to Scotland, an inclination which was always complied with, as far as the exigencies of the service would permit. No injury had, however, been done to the men by taking them into so cold a climate, and, according to the last Reports, out of 780 men in the regiment, there were only 27 upon the sick list.

POST OFFICE—DETENTION OF MAILS AT CALAIS.—QUESTION.

MR. HARVEY LEWIS asked the Postmaster General, Whether his attention has been called to the frequent detention of the Mails at Calais consequent upon the want of water to float the steamboats; and, whether it is possible to apply a remedy to obviate the serious inconvenience and delay thus occasioned in the transmission of the Mails?

MR. MONSELL, in reply, said, he was quite aware of the grievance, but it was impossible for him to redress it. Her Majesty's Government did all they could. A harbour at great expense had been made at Dover; it was accessible at all times of the tide, and they had a small steamer at Calais to land the mails and passengers when the water ran low. But on the other side there was no good harbour, and the French railway trains conveying the mails only ran at the rate of 33 miles an hour, while the English trains ran at the rate of 46 miles an hour.

MERCANTILE MARINE—MR. PLIMSOLL AND THE CARDIFF SHIPOWNERS. QUESTION.

MR. CARTER asked the President of the Board of Trade, Whether his attention has been called to a printed Circular signed by the honourable Member for Derby, dated 20th April last, and distributed amongst Members of the House of Commons, in which he states that certain information disclosing reckless overloading in ships sailing from Cardiff had been withheld by the Government from a Member of Parliament seeking to save human life, and supplied by the Secretary of a Company of Underwriters to whom it had been given by the Board of Trade to aid them in making their investments; and, whether he can give any explanation of the circumstances referred to?

MR. CHICHESTER FORTESCUE: I am not surprised, Sir, that some hon. Member should ask me for some explanation of this circular, which has been widely distributed, especially, I believe, among religious congregations throughout the country. I have taken pains to ascertain accurately what are the facts, and the general answer I have to give to the Question is that the statement quoted from the circular is absolutely without foundation. The Board of Trade have never refused any information to the hon. Member for Derby (Mr. Plimsoll), for the simple reason that he has never asked them for any, in spite of repeated invitations on my part that he should do so. The circular reverts to the circumstance which I explained fully in the House some weeks ago—namely, that an agent of the hon. Member had applied to the Collector of Customs at Cardiff for voluminous information relating to ships sailing from Cardiff for the last three years. The answer was given without any directions from the Board of Trade and without their knowledge, but I think it was a proper one under the circumstances—namely, that it was not usual to allow the public to inspect the official books and documents, but that all their information was open to the Royal Commission or the Government. I may add that a large part of the information asked for could not have been given by the Customs, and what is more to the purpose of the present Question, the Reports of the draught of water of vessels leaving port were not asked for by the agent at all. These are what the hon. Member has photographed and published; and, as their very object is publicity and the exposure of cases of overloading, I find no fault at all with his photographs—the more public these things are the better. These are Reports, not from Cardiff merely, but from a large number of ports, showing the draught of water of vessels leaving port—a new thing, provided for by the Act of 1871. But the circular states that what was sternly refused to a Member of the House of Commons "seeking to save human life has been supplied to a Secretary of Underwriters from the Board of Trade itself in London, in order to aid them in making their investments," and supplied to the hon. Member for Derby by the Secretary of a Company of Underwriters. Now, this Secretary is Mr. Stephenson, the well-known Secretary of Lloyd's, who has protested against these Board of Trade Reports, which he had lent to the hon. Member for Derby, being used for the purpose of attacking the Board of Trade. The facts are as follows:—The Reports of draught of water are made daily, and are sent up daily to the Board of Trade. They are there, by an arrangement with Lloyd's, abstracted into a form which is at once sent to Lloyd's, and which is there posted and made known to the whole of the persons interested in shipping who have access to that public and well-~~known~~ place of resort. Further, these Returns at the Board of Trade are open to anyone who chooses to inspect or apply for them, and would have been given freely to Mr. Plimsoll or his solicitor, had either so applied. As a general rule, short of paying for them as advertisements, there is no means of publishing information connected with shipping so effectually as by sending it to Lloyd's. In these Returns the words "deep" or "very deep" are of frequent occurrence. Sometimes these words are a comment added by the official reporter to his Report of the actual draught of water; but in general they are expressions only of the impression of the reporter where, from defective marking of the scale of feet upon the ship, or for other reasons, the actual draught of water cannot be given. I am happy to be able to add that careful inquiry has been made at Lloyd's into every one of the cases mentioned in the Returns heliotyped by the hon. Member for Derby in which the words "deep" or "very deep" have been added; and it has been found that every one of those vessels has made the voyage on which it was bound when the Report was made in perfect safety. The circular goes on to say that there is also a separate and worse list, specially reported to the Receiver of Wrecks, and that the hon. Member for Derby cannot obtain access to it. The fact is there is no such separate list made, or kept either by the Surveyors of Wreck or by any other officer of the Board of Trade; and I must repeat that the Reports on draught of water made to the Board of Trade are open to the examination of any one, and are invariably sent to Lloyd's. The only explanation of the circular I have been able to arrive at is, that there are a few exceptional cases in which the Secretary at Lloyd's exercises his discretion in not posting up every remark that may be made upon a vessel in the Returns of the surveyors furnished by the Board of Trade. That is the case, I am informed, in very few instances: and, at all events, the Board of Trade have nothing to say to it, because every Return received is sent to Lloyd's for purposes of publicity. This is not the occasion to speak of the value of these Reports, though I am assured by high authorities that they are found already to have a very useful effect in checking the practice of overloading; but, at all events, their utility will be fully tested by the Royal Commission, because the Secretary of the Board of Trade has handed them in to the Royal Commission, and has given full explanations with respect to them. The notion that the Board of Trade wishes to keep these Returns back from the hon. Member for Derby, or from any one else, is really absurd, and I can only regret that the hon. Member did not think it right to obtain such information from the Board of Trade as would have made it impossible for him to publish the unfounded statements of the circular.

CATTLE—IMPORTATION OF GERMAN CATTLE.—QUESTION.

MR. CLARE READ asked the Vice President of the Council, If there is any truth in the reports which are current on the Continent, that the restrictions upon the importation of German cattle, by which they are now consigned to separate water-side markets, are about to be removed?

MR. W. E. FORSTER, in reply, said, there was no truth whatever in certain statements in one German newspaper, to the effect that it would soon be announced by the British Government that cattle might be taken to the Islington Market for inspection; or in another, to the effect that when the restrictions were removed cattle, though affected with foot and mouth disease, might be taken to the Old Market, after a few formalities had been gone through. The Government would in future, and had up to this time, retained these restrictions or relaxed them according to the information it might have obtained. At present Government had no information which would induce it to relax the restrictions. He could not at all imagine how the report had got into the German newspapers.

SUGAR DUTIES—THE INTERNATIONAL CONFERENCES.—QUESTIONS?

MR. STEPHEN CAVE asked Mr. Chancellor of the Exchequer, Whether the report is correct that the Conferences held in Paris on the Sugar Duties have resulted in the conclusion of a fresh Convention; and, if so, what are the provisions of the new Convention?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Conference has agreed upon a Convention, which contains three terms, which are as follows:—1. That sugars are not to be assessed by colour only, but by strength, which may, if necessary, be ascertained by analysis, or by any means Government may choose to adopt, and that when so tested, if the strength prove sufficient, the sugar may be raised to a higher class. 2. That Belgium and other countries producing beet-root sugar, and charging duty thereon by the density of the juice, are to raise the charge for duty from 1,500 to 1,600 degrees. 3. That France is to put her Duties and Drawbacks into co-relation, as required by the Convention in 1864. There is no article relating to refining in bond.

MR. J. B. SMITH asked how long this Convention would be in force?

THE CHANCELLOR OF THE EXCHEQUER: For something under two years.

POST OFFICE SAVINGS BANKS — INVESTMENT OF DEPOSITS.

QUESTION.

MR. WATNEY asked Mr. Chancellor of the Exchequer, Whether, at the end of the last financial year, all the money belonging to depositors in the Post Office Savings Banks (with the exception of the balance in the banker's hands) was invested according to the Act 24 Vic. c. 14; and, if not, to state the amount uninvested, distinguishing the amount in the banker's hands?

THE CHANCELLOR OF THE EXCHEQUER: Sir, all the money belonging to depositors in the Post Office Savings Banks at the end of the last financial year was invested according to the Act 24 Vic. c. 14, with the exception of the balance in the Bank of England to the credit of the National Debt Commissioners on account of Post Office Savings Banks, and the balance in the hands of the Postmaster General and his officers. The balance to the credit of the National Debt Commissioners at the Bank of England on Post Office Savings Banks account on the 31st of March last was £1,268,000, and of this amount £430,000 was received from the Post Office on that day. The estimated balance remaining due to the National Debt Commissioners by the Post Office on account of Savings Banks deposits on the 31st of March last, after payment of the sum of £430,000, was £88,900. This balance included Post Office Savings Banks cash in the hands of nearly 5,000 postmasters. It also included remittances in transit and bills not arrived at maturity. The balance in the hands of the National Debt Commissioners on the morning of the 31st of March was only £838,000, of which sum £500,000 was reserved for an advance promised to the Irish Church

Commissioners, and made on the 4th of April. Out of the remainder, the National Debt Commissioners were making daily advances under the Pensions Commutation Act, and were investing in stock at the rate of £50,000 a-day. The transfer of the £430,000 was quite unexpected.

AFRICA—WEST COAST SETTLEMENTS—THE ASHANTEE INVASION.

QUESTION.

In reply to Mr. M'Arthur,

Mr. KNATCHBULL-HUGESSEN: Sir, we have to-day received Despatches from the West Coast of Africa up to the 16th of April, and I regret to say that the news is not of a satisfactory character. After two severe engagements, in which the Fantee tribes had fought bravely and maintained their positions, they had retreated along the whole line, and the Ashantees were reported likely to advance upon Cape Coast and Elmina. The Administrator, Colonel Harley, who in his last Despatches stated his belief, that the Ashantee force did not exceed 4,000 men, now tells us that he had been misinformed, and that the estimate of 30,000 or 40,000 was probably nearer the truth. It is due to Colonel Harley to say that he has taken every step in his power, and has from the first rightly appreciated the nature and character of the invasion, which were misapprehended by Mr. Pope Hennessy. The cause of the invasion was placed beyond doubt by a letter from the King of Ashantee to the Administrator, which stated that the invasion was the result of the cession of Elmina by the Dutch to the English Government, and that he was determined to re-take it. Every precaution has been adopted, and I trust that the next telegram will be of a more satisfactory character.

In reply to Sir Charles Adderley,

Mr. KNATCHBULL-HUGESSEN said, that the Houssan police were engaged with the Ashantees, and he was sorry to say there had been some casualties, not very serious, however, and of no very great extent.

COMMISSIONERS OF NATIONAL EDUCATION (IRELAND)—REV. MR. O'KEEFFE.

QUESTION.

Mr. BOUVERIE: I wish, Sir, to put a Question to the Prime Minister with respect to the Order of Business on Monday night. I observe that last night, the noble Lord the Chief Secretary to the Lord Lieutenant of Ireland placed a Notice upon the Paper of his intention to move on Monday night for the appointment of a Select Committee to inquire into and report to the House the circumstances of the dismissal by the Commissioners of National Education in Ireland of the Rev. Robert O'Keeffe from the office of Manager of the Callan male, female, and infant National Schools and the Newtown and Coolagh National Schools by their order of April 23, 1872, and of the removal of the said schools from the roll of National Schools by their order of the 7th January, 1873. I wish to know, Whether it is proposed to bring the Motion on on Monday; and, whether it is intended that it shall have precedence of the Orders of the Day, or when it can be debated?

Mr. GLADSTONE: Such a Motion as that it is quite plain could only go on in the way proposed if it were received with general and unanimous approval by the House. If I am to understand from my right hon. Friend that there is a disposition to raise a debate upon that Motion, undoubtedly we must make some arrangement in the course of the evening in respect to the time of taking it; and before the House closes I shall be prepared to make a statement upon the subject.

Mr. BOUVERIE: I asked the Question, because I propose to give the following Notice of an Amendment to the Motion:—To leave out all the words after the word "That," in order to insert these words—

> "This House having already before it, and having partly ordered to be laid before it, Copies of all the Minutes of Proceedings and of all Correspondence with the Board of National Education in Ireland, relating to the school at Callan, and to the Rev. Father O'Keeffe, will pass to the Orders of the Day."

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MERCANTILE MARINE—LIGHTS IN THE CHANNEL.—RESOLUTION.

MR. EASTWICK, in rising to call attention to the state of the lights in the Channel, and to move—

> "That it is expedient that fog signals, either steam whistles or guns, or both, be added to the lights on the Skerries Island, the Codling Bank, and the Tuskar Rock, and that the light on the Codling Bank be improved; also that a Royal Commission be appointed to inquire into the whole subject of fog signals before the desultory establishment of signals at various points makes it difficult to apply a proper system for the whole of our coasts,"

said, he trusted he should not be thought to be stepping *ultra crepidam* in calling attention to a subject, which no one but a sailor could deal with satisfactorily. His only excuse for moving in the matter was that he had been asked to do so by those who were thoroughly conversant with the subject, and had in it a vital interest, being commanders of large steamers running between Liverpool and America. He was aware that very much might be said on the general question of lights and signals, but he should restrict himself to the matter he had been asked to bring forward, leaving hon. Members who had a practical acquaintance with navigation to deal with the subject more fully and accurately than he could pretend to do. He thought it likely that a landsman, on first taking up an Admiralty chart of the Channel, blazoned all over with yellow and red patches, which indicated fixed, flashing, and revolving lights, would be disposed to think it an easy thing to navigate a vessel in a sea so well lighted up. He would probably say, "There seems to be a light or a signal at every six or eight miles, what more could possibly be desired?" Unfortunately, however, facts proved that numerous as were our beacons and signals, and great as had been the expense connected with them, they were still too few, and serious losses of life and property every year, were the result of this insufficiency. In what he was saying, he was not speaking of losses and disasters which were occasionally caused by the fury of the elements; for example, the terrific hurricane of the 26th of October, 1859, in which the *Royal Charter* perished, and 446 human beings and property to the value of £1,000,000 sterling were swallowed up by the sea in a single shipwreck, was a calamity against which the precautions and efforts of man were unavailing. He spoke rather of such accidents as happened on the 17th and 24th of May, 1872, when the Cunard steamer *Tripoli*, of 2,000 tons burden, and the *Halcyon* steamer, of 700 tons, were lost on the rocks south of the Tuskar Lighthouse. The weather being comparatively fine, the 250 passengers and the crew of the *Tripoli*, and the crew of the *Halcyon*, were all rescued; but had the sea been high and the wind stormy, it was very probable that hardly a soul would have escaped, and as it was, the steamers themselves were totally wrecked. In these, and many similar cases, losses were incurred which might have been avoided, and it was to such cases that he wished to call attention. The east coast of Ireland, from the Saltees, at the entrance of the Irish Sea, to Dublin, was lined with a formidable series of dangers, both shoal and rock. There were first the Saltees and the Tuskar Rocks; then the Glassgorman Bank and the Wolf Rock, the Moulditch, Horseshoe, Fraser, India, Arklow, Kish, and Bray Banks, besides smaller shoals, while to add to these dangers, the tidal wave which swept round Ireland and entered the Irish Sea by the Northern and Southern Channels, ran at times with extreme velocity near the dangers on the eastern coast. During spring tides the velocity of the wave was six knots an hour near the Northern Channel, and might easily set a vessel beyond its reckoning. Although the lights were sufficient in fine weather, they were not so in fogs, which prevailed on the east coast more than on the other coasts of Ireland. There were at Liverpool 28 days of dense fog on an average throughout the year, being one day in every 13, and there were, he believed about the same number of foggy days on the east coast of Ireland. But hazy weather was still more prevalent and was hardly less dangerous. It was in hazy weather that the *Tripoli* and the *Halcyon* were lost. At such times as lights were hardly, if at all, visible, the sailor depended on soundings or on fog signals, and those who had read Mr. Beazeley's interesting lecture on the subject knew that signals by gongs and bells, which, with one exception, that of the fog trumpet at Howth Bailey, were the only fog signals on the Irish coast, were wholly inadequate, as their sound was lost in the roaring of the sea and the wind, and the noise of the paddle-wheels or screw. Therefore, let hon. Members picture to themselves the case of a Transatlantic steamer leaving Liverpool in foggy wintry weather. She would lay her course 50 miles W.S.W. Supposing the steamer left Liverpool at 1 P.M. she would arrive opposite the Skerries Island at six o'clock. If the weather were foggy the light would not be visible, consequently the steamer would probably run too far to the west, and her situation would only be ascertainable by sounding, which meant delay. His informants therefore recommended that there should be a powerful steam-whistle placed on the Skerries Island, and the Members of the Trinity House, in the Report of the 4th of November, 1872, which he held in his hand, also recommended that there should be a distinct fog signal upon the island, in the vicinity of which wrecks were exceedingly numerous, and he (Mr. Eastwick) was informed by a great authority in such matters, that it should be a steam-whistle, 8 inches in diameter, sounded at a pressure of 75lb. Such a whistle had been adopted with great success in Canada, and, as appeared from the Elder Brethren's report of their visit to that country, such a whistle on the Manicouagan lightship at the entrance of the St. Lawrence was capable of being heard at a distance of 12 miles. The steamer, hearing this signal, would alter her course a point or so, and run 45 miles S.W. and by W., which would bring her nearly abreast of the Codling Light-vessel. This vessel showed a red light, revolving every 20 seconds, but the light, for some reason or other, was often mistaken for the light of an ordinary vessel, and steamers were thus sometimes led to run too far to the west into dangerous proximity to the Kish and Bray Shoals, where there was only from a fathom to a fathom and a-half water, though they were steep and therefore highly dangerous. The light on the Codling Bank, therefore, should be improved, and a powerful steam-whistle of 10 inches diameter, and sounded at a pressure of 60lb., should be placed in the light-vessel, or if that were not approved, there should be a gun signal, to be fired every half-hour during fogs or hazy weather. On hearing the whistle or gun, the steamer would again alter her course and steer nearly due south past the north and south Arklow Light-vessels. From the southernmost of these to the Tuskar Lighthouse was 31 miles. The Tuskar was thus described in Findlay's "Sailing Directions for St. George's Channel:"—

> "The Tuskar Lighthouse is constructed on the principle of those on the Eddystone and Bell Rock. The ringing of two bells denotes the proximity of the rock in foggy weather. The rock is 15 feet above high water."

In Staff Commander Hoskyns's "Sailing Directions for the Coast of Ireland," published in 1866, by the Admiralty, it was said—

> "The Tuskar Rock is the most out-lying danger to the eastward of Carnsore Point. Besides the principal rock which is elevated 15 feet above high water, there are several smaller ones, together covering an area of about 300 yards by 150."

Well, on arriving at the Tuskar it was very essential, should it be too foggy to see the light, or should there be any doubt about the distance from the rocks, that the steamer's position should be known by hearing a fog-signal before she steered S.W. for the Fastnet, where, too, there ought to be a fog-signal, and whence she would run out to sea and lose sight of the land altogether. He would suggest, therefore, that there should be a powerful steam-whistle at the Tuskar also; and had there been such a signal in 1871 it was his belief that the *Tripoli* and the *Halcyon* would not have been lost. He was unable to say whether there was space on the rock for a detached fog-signal house, or whether, if there were space sufficient, the site would be a safe one. If these conditions could not be insured, the engine and apparatus would have to be placed in the lighthouse itself. The Trinity House authorities had also recommended, though with some hesitation, a fog signal for the Fastnet Rock lighthouse, and he supposed, therefore, there could be no insuperable difficulty about having one in the Tuskar. The first expense of the three fog-signals he had suggested would be about £4,223, and there would be a proportionate yearly expense, which altogether would be a small amount to pay for increased safety to the valuable steamers running between Liverpool and America, to say nothing of the fleets of smaller craft continually passing and re-passing along the east coast of Ireland. But on the subject of expense, he wished to call attention to what was said at page 22 of Sir Frederick Arrow's Report — "The Americans do not consider the question of expense is to be weighed for a moment against that of safety." That principle ought to be adopted in this country, and all necessary expenses of this description should, in his opinion, be defrayed out of the Consolidated Fund. As to the objection he had sometimes heard, that the more aids one gave the sailor the more reckless he became, and that losses increased at least in equal proportion to the augmentation of lights and signals, it filled him with astonishment. Had there been a fog signal at the spot where the *Atlantic* was wrecked the other day, would there have been that terrible loss of life and property? But the true answer to the objection was, that if this reasoning were carried out to the end there ought to be no lights and signals at all. But for the last three centuries we had been proceeding on the opposite principle. In the 17th century there were only five lights on the British coasts, and shipwrecks were more frequent then. In the 18th only 52 more were added; but in the 19th no less than 434 were added to the list. Besides the reason given in his Resolution for appointing a Royal Commission, he would observe that there had been no such Commission since that of 1858, which reported in March, 1861, and the subject had been growing immensely since then. There was a multitude of questions which required to be settled by a Royal Commission. Why, for instance, was an instrument of larger diameter, with a lower pressure of steam, used on board light vessels than at shore stations? Again, it had been asserted that the sound of Holmes's trumpet was equally powerful over a horizontal arc of 90 degrees, and that four such trumpets grouped formed a holophone of 360 degrees, but that and the merit of Holmes's trumpet generally required to be tested. Some experiments with different instruments used as fog-signals were described in the Report of the Trinity House authorities of the 4th of November last, but far more exhaustive trials ought to be made in this country, and they might be made under the authority of the Royal Commission.

MR. T. BRASSEY, in seconding the Motion, said, he believed the principal object of his hon. Friend the Member for Penryn (Mr. Eastwick) was to attract the attention of the House to the important matter which he had so ably handled, and that he had no intention of pressing the Motion, if he received satisfactory assurances from the Board of Trade. All that was asked was, that there should be no unnecessary delay in carrying out the recommendations of the Trinity Brethren, in favour of placing fog-signals of the most powerful description on points of the coast at present most imperfectly guarded; and the President of the Board of Trade and his able advisers on nautical subjects must welcome the Motion as justifying them in promptly adopting the suggestions of the Trinity House. When it was known that from 300 to 400 lives were lost every year from vessels stranded on our coasts—many of those shipwrecks occuring in foggy weather—enough had been said to justify the small expenditure which was required, in order to substitute a more perfect for the present imperfect system of fog-signals. It was not his intention to criticize the Trinity House, whose administration of their important and extensive business left little to be desired. Our lights were quite as powerful as the French, and superior to those of every other nation; and though the outlay of foreign Governments in the construction of lighthouses had been greater than that in England, the light-ships placed in numerous exposed situations on our coast maintained their positions in the most tempestuous weather, and had very rarely been driven off their stations. Our coasts, moreover, according to the Royal Commission of 1861, were better supplied with buoys than any foreign coasts, and these buoys were maintained in admirable order. In short, the Trinity system would appear to be nearly perfect and worthy of the greatest maritime nation in the world in every respect, except in that which formed the subject of the Motion. In the matter of fog-signals, however, the coasts of the Canadian Dominion and the United States were infinitely better guarded than our own, that superiority being due to the extraordinary difficulties with which those who navigated in American waters had to contend. While foggy days on our coasts did not exceed 60 or 70 in the year, the American coasts were enveloped in fog for one-half of the year or more. Hence since the organization of the Lighthouse Board in 1852, 33 powerful whistles or trumpets had been established on the coasts of the United States, which were sounded by machinery during fog. But if we had fortunately less fog than the American mariners, it did not follow that it was not worth while to provide the best description of fog-signals in order to secure the greatest possible safety for those who navigate in British waters. The Royal Commission recommended the more frequent adoption of guns, or any other more efficient means for indicating the locality of lighthouses during fog. The uselessness of bells had been pointed out by Mr. Beazeley, in a lecture recently delivered before the United Service Institution, in which he said that a bell weighing 2¼ tons had been heard only one mile to windward against a light breeze. Meanwhile the fog-signals in use on the American coast had been carried to a very high degree of perfection. The Trinity Brethren said that all the horns and whistles they had heard on the American coasts might be safely relied upon, when care and attention were used, to a range of from two to eight miles. Sometimes the sound would penetrate to much greater distances; for instance, he was informed by his constituents, the fishermen of Hastings, that the steam fog-horn at Dungeness could be heard at a distance of 14 miles with a light breeze off the land. As fog-signals, guns were equal to the apparatus in use in America; but the original cost of their establishment was not less than £1,000, as compared with an expenditure of from £600 to £1,400 for the horns and whistles worked by machinery, while the working expenses were considerably greater. To establish a light-vessel, at an original cost on the average of £5,000, manned with a numerous crew, and involving for maintenance an annual expenditure of £1,200, and then to hesitate to incur an additional outlay of £600 for providing the light-vessel with an effective fog-signal was an absurdity so glaring that the House would never sanction it. He could not but acknowledge that the efforts made by the Board of Trade from time to time to control the expenditure of the Trinity Brethren were due naturally to consideration for the pockets of the ratepayers, or rather to the natural desire that the system should be as economical as possible; but it was quite possible, on the other hand, to carry that virtue to an excess, and he trusted that the President of the Board of Trade would not be led by any undue economy to expose himself to the criticisms which in that respect had been bestowed upon his predecessors in office.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is expedient that fog signals, either steam whistles or guns, or both, be added to the lights on the Skerries Island, the Codling Bank, and the Tuskar Rock, and that the light on the Codling Bank be improved; also that a Royal Commission be appointed to inquire into the whole subject of fog signals before the desultory establishment of signals at various points makes it difficult to apply a proper system for the whole of our coasts,"—(*Mr. Eastwick,*)

—instead thereof.

Mr. CHICHESTER FORTESCUE said, he wished the House exactly to understand what the Motion now made by the hon Member for Penryn (Mr. Eastwick) really was. As for himself, he (Mr. Chichester Fortescue) had been by no means clear on the subject, for the hon. Member originally gave Notice that he would call attention to the state of the lights in the Channel, but the Motion actually made was to call attention to the state of the fog-signals in the Irish Sea, and, no doubt, of fog-signals generally. The Motion did not raise the question of the lights round the coast of this country at all, but was confined to the question—no doubt important in its degree—of fog-signals, and that with special relation to the coast of Ireland. The east coast of Ireland was described by the hon. Member as one of our most dangerous coasts. That he (Mr. Chichester Fortescue) believed, was true, but it was also one of our best lighted and protected coasts, for no part of our coasts had received greater attention than the east coast of Ireland—the particular part of the coast to which the Motion applied—as a very few years ago the lights there were overhauled and revised, their numbers increased, and their whole condition settled by the Board of Trade and the Trinity House, in communication with the merchants of Liverpool, headed, he believed, by their late lamented Member (Mr. Graves). That, however, was no reason why improvement should not go further; but it showed that part of the coast had not by any means been neglected. There appeared considerable inconsistency in the Motion, because it first asked the House to resolve on certain questions of detail, quite unfit for a Resolution of the House—namely, that fog-signals should be placed on particular selected points of the coast—and then it went on to propose that the whole subject of fog-signals should be inquired into by a Royal Commission. The hon. Member would, probably, not desire to bind the House on each particular point, and he (Mr. Chichester Fortescue) would show that the subject was entirely unadapted for such an inquiry, and also that such an inquiry was not really required. The Motion referred to three points on the coast. With respect to the first of them —the Skerries—the Trinity House had decided to place a distinctive fog-signal at that important point, which led up to Liverpool and the Mersey. As to the two other points, the question was still open, and was not decided in the negative; for with regard to one, the Tuskar Rock, the hon. Member was himself well aware that there was considerable doubt whether room could be found there for the steam machinery that would be necessary to drive a steam whistle; but the Commissioners of Irish Lights had, within the last few days, been to the Board of Trade on the subject; the matter was treated as one well worthy of consideration, and an inquiry would at once be made into it. As to the whole question of fog-signals, the supposition which seemed to underlie the Motion, and also the speech of the hon. Member who spoke last was, that they were very much behind hand in the matter; that they had been greatly outstripped by other countries; that they had shown no disposition to make up for lost time; and that delay had been caused by the excessive parsimony of the Board of Trade in refusing to allow the Mercantile Marine Fund to be drawn upon sufficiently for those objects. He was not ashamed of the economy of the Board of Trade in the administration of that fund, but so far as he was aware the question of the extension of fog-signals had not been allowed to depend upon considerations of economy. He was perfectly willing to sanction all necessary and proper extensions of a system which he admitted was not developed on our coasts to the extent which it deserved. We had, however, profited by the example of other countries. A Committee of the Trinity House had visited Canada and the United States for the purpose of examining into the value of fog-signals, and of making a Report, which now lay on the Table of the House. Since the return of those gentlemen the list of points on which it had been decided to erect fog-signals had been largely extended. In the opinion of the authorities of the Trinity House, however, fog-signals had been unduly multiplied on the American coasts, and it would appear that political and electioneering considerations entered there into the subject, and that lights were not always provided simply because they were needed. The example of America, therefore, required to be followed with great caution. The number of the fog-signals on the American Coasts had the effect, moreover, in the opinion of the Committee to which he had just referred, of inducing steamers to be run at a dangerous rate of speed. Those authorities were of opinion that such signals should not be too numerous, and that they should be set up at salient points, and it was upon that principle of selection therefore that they proposed to proceed at once in the erection of fog-signals. As to the appointment of a Royal Commission to inquire into the matter he did not think there was any necessity for the adoption of that course. The attention of the Trinity House and of the Board of Trade was earnestly directed to the subject, and important experiments with respect to fog-signals were about to be carried out at South Foreland. These experiments were fixed for the 19th of the present month, and would be conducted under the advice of a very eminent man—Professor Tyndal. They would be attended not only by the officers of the Board of Trade and the Trinity House, but by the professional officers of the Irish and Scotch Boards, and he was quite sure no better mode of inquiry could be instituted. He had full confidence in the Trinity House on this subject, and in the able Deputy-master Sir Frederick Arrow. A thorough examination would be made, and he undertook to say that there would be no undue delay in giving effect to the recommendations which might result from the investigation.

Mr. G. BENTINCK expressed his regret that the Motion was of so restricted a character, and believed the real root of the evil complained of was to be found in the mode in which the funds for lighting our coasts were levied. There was, in his opinion, no such effective fog-signal as a gun, and although it might be expensive, he, for one, should advocate its use. He regretted his hon. Friend the Member for Penryn (Mr. Eastwick) did not move for an inquiry into the whole question, including the mode of providing the necessary funds. The present system was, in his opinion, entirely erroneous, for the placing of lights was left dependent on two things—the caprice of the owners of ships and exercise of an unwise economy. He should like therefore to see the expenditure for the lighting of our coasts made an Imperial expenditure, for otherwise it was impossible that an object which it was most desirable to accomplish could be fully carried into effect. The lighting of the coast of France was superior to the lighting of our coasts, because in the former country, it was under Government control, and the funds for the purpose were drawn from Imperial sources, and it was matter for shame that the first maritime Power in the world should have a less efficient system than that which prevailed in a neighbouring country. In the case of buoys, too, everything was left to the experience of the Trinity Board or the local authorities, and great loss of life and property was the result. He saw no hope of inducing the House to take action upon this subject at present; but he hoped that it would not be allowed to drop, and that they would have a recommendation made to the House that would induce the Government to deal with the question as one of Imperial expenditure.

Mr. LIDDELL said, he understood his hon. Friend near him (Mr. Eastwick) desired to deal with the whole question of fog-signals. He regretted that the right hon. Gentleman the President of the Board of Trade should have referred to the fog-signals on the coast of the United States as being used sometimes for political ends. Such an argument as that he thought came with a bad grace from him as a Member of the Government, and it would have been well if he had let it alone. The United States Government had always shown its willingness to co-operate with us in any works calculated to benefit the maritime interests of the two nations, and he thought we might well imitate America in matters of the sort, when they set us such a noble example. He differed from the right hon. Gentleman also when he said that this was a subject which it was unnecessary at the present moment to delegate to a Royal Commission. There were some persons who were dissatisfied with the conduct of the Trinity House in connection with the lights and signals, and in leaving the question in their hands now, they were making them judges on their own case. He thought it was necessary to appoint an independent authority to inquire into the question, and for that reason he would give his cordial support to the Motion.

Mr. PEEL said, what his right hon. Friend said was that they ought not to do anything in connection with this question in a desultory way, until the Committee now existing had reported; but he never said that it was not a subject fit for a Royal Commission. The Trinity House had furnished the Board of Trade with an immense amount of valuable information; and upon that information he did not think any sufficient case had been made out for the adoption of the American system in this country. As long as the two systems were radically difficult, it was impossible to compare them with each other.

Mr. G. BENTINCK explained that that he had advocated the adoption of the French, not of the American system.

Mr. PEEL remarked that it had been reported that our lighting system was vastly superior to that of any other nation. The hon. Member for Penryn (Mr. Eastwick) had complained about the state of the lighting on the eastern coasts of Ireland, and he had especially alluded to that between Dublin and the Tuskar Rock; but he had no hesitation in saying that the state of that part of the coast as far as lighting was concerned was admirable, no less than six lights having been placed there since 1867. It was certainly a most dangerous part of the coast, but it was most efficiently protected.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

ADMINISTRATION OF THE POLICE.

MOTION FOR A SELECT COMMITTEE.

MR. EYKYN, in rising to move for a Select Committee to inquire into the administration of the Metropolitan Police, of the Borough and County Police in England and Wales, and also the system of superannuation, pay, and pensions, said, the subject was one in which considerable interest was taken by the House and the public generally. For some time the attitude that had been assumed towards the Police was one that excited considerable dissatisfaction, and the period had now arrived when not only the ratepayers, but those who contributed towards the annual expenditure from the Consolidated Fund should come to a distinct understanding as to the best means of giving the highest value to the Force. In the year 1870 he had placed upon the Table of the House a Motion for a Select Committee. Acting upon the best advice he could procure, he withdrew that Motion; but a clear impression was left upon his mind, that such alterations should be made in the Force by the Home Office, as would lead to a better understanding for the future, and extend to the Police more favourable terms. It was not his intention to go into all the causes which had brought about the state of circumstances which could not but have been impressed upon the minds of hon. Members during last year. In the year 1851 the Police Force was in the highest state of organization it had ever attained before or since. The late Sir Richard Mayne had fulfilled his duty as Chief Commissioner of Police in a way that gave considerable satisfaction. The only regret they had was, that towards the later period of his life his energies had become warped, and he was not able to perform his duties with such ability as in the first instance. Sir Richard Mayne died about the year 1868, and from that time forth there was one continued course of dissatisfaction with regard to the Force. He was not saying that in any unfair spirit towards the Home Secretary. In the year 1868 a very influential deputation waited upon the right hon. Gentleman, introduced by Professor Marks. The object of the deputation was to represent to the right hon. Gentleman that a great change was about to take place in the administration of the Police, and to impress upon him the importance of the new appointment. The reply of the right hon. Gentleman to the deputation was, that, in the choice of the gentleman who would succeed Sir Richard Mayne, attention would be directed to the qualifications of the person who was best acquainted with the habits of criminals, who would be able to detect crime, and protect the public peace. Since the appointment of Colonel Henderson to be Chief Commissioner, however, there had been a change in the tone of the Force which was much to be deplored. No doubt that gentleman was a most able, painstaking, and conscientious man; but it sometimes happened that even such men were unfit to discharge responsible duties such as the Chief Commissioner of Police had to undertake. The experience of Colonel Henderson had been chiefly of a military character, and it was to be feared that the military system was made to override all the civil authorities of the Force. Thus, at the present time, the administrative appointments of the Force were, with two exceptions, held by military men. He admitted that in the management of a Force of 10,000 men it might be necessary to resort to something in the nature of military discipline, but it was quite possible that that military discipline might entirely override all the objects for which the Force had been instituted. The state into which the Police Force had drifted last year and the year before was the cause of much disquietude to the metropolis. So critical had the attitude of the Force become that in answer to a Question addressed to him the right hon. Gentleman the Member for Ripon (Sir Henry Storks) stated, that an application had been made to the Horse Guards to allow the Reserve men of the Army to join the Police, and that a number of men were thereupon placed at the disposal of the Home Office; but whether these men had been enlisted in the Police he had been unable to discover. The whole attitude of the Police had been altered, because of the non-fulfilment of the promises that the superannuation allowance would be considered and equitably carried out. Deductions amounting to nearly £100,000 had been made, and since the year 1857 it had entirely disappeared, and the men were naturally dissatisfied, because the promises of superannuation had not been fulfilled. Under the scale of 1862, a man serving 15 years got half-pay, and after 24 years two-thirds pay; but under the altered scale 15 years' service entitled him to 15-50ths of his pay, while service up to 30 years was a title to a totally undefined amount, but after earning a pension by long service he was not allowed to retire unless he proved incompetency from ill-health or worn-out constitution. Those were the matters which had occasioned discontent among the Police Force. They sent petition after petition for an increase of pay, and they were justified in asking for that increase by the increased cost of the commodities of life. Some small concession was made, but so great was the discontent at one time that the men remonstrated in a mass. On entering their meeting, over which he had been asked to preside, he feared they were on the eve of striking and leaving the metropolis without protection; but he exerted all the influence he could, and, like sensible men, they resolved to return to their duty, since which time matters had gone on much as before. But still the question of superannuation was undecided. It was not among the Police of the metropolis alone that there was discontent. The Reports of the Government Inspectors and of the heads of the Scotch Police testified to the anxiety which prevailed to have the superannuation system placed on a more satisfactory footing, and there was hardly a town in England or Scotland from which he had not received communications from the Chiefs of the Police. They urged the consideration of the question by the Government, and assured him that were it settled no cause for discontent would remain. He believed, too, that whereas the *physique* and intellectual capacity of recruits had of late been below the proper standard, men of a higher class would then join the Force. In what state, he should like to ask the Home Secretary, was the detective Force at the present moment? No doubt, crime had greatly diminished; but the authorities must not take to themselves all the credit, as much of that result was due to ragged schools and reformatories. Dissatisfaction did not exist among the Police and Police Superintendents alone, but also among the Police magistrates above them. It was a serious matter to have discontent among the Police magistrates of London —the men to whom they looked for keeping London in order. The accounts of the Metropolitan Police were very large, involving an outlay for supplying nearly 10,000 men, and it was necessary that some inquiry should be made into those accounts, and if a Committee were appointed they might be able to eliminate a great deal from the accounts which would go to increase the scale of superannuation. Not being sanguine of any application by an independent Member being fully met, he was prepared to accept small favours from the Treasury bench. There were in England and Scotland 25,000 Police, and £61,000 was annually voted to make up the deficiency in the superannuation fund. Had the matter been properly managed in the first instance, however, there would have been no necessity for seeking relief through a Committee. The fund was mainly supported by fines and deductions from pay. He should prefer the men being paid their hardly-earned wages in full without deductions, for a policeman at the South Kensington Museum told him 18 months ago that, after maintaining his five or six children, he was not likely to taste meat during the ensuing year—a position hardly fair on an officer expected to cope with strong healthy men and to repress rioting. He need hardly refer to the bad feeling that existed amongst the Police at the rate of pay they received before the agitation of last year, and though they must accept with gratitude the addition which the right hon. Gentleman had made to their pay at that time, he hoped to hear from the right hon. Gentleman that there should be a more uniform pay of the police throughout the country. He thought too, that some effort should be made by which the Borough, the County, the Metropolitan, and the City Police might be amalgamated under one system for the entire country. With the facilities which telegraphs and railways provided, he was satisfied that an improved system might be established for the detection and suppression of crime. As an illustration of the bad effects of the want of uniformity now existing, he might state that if the Metropolitan Police had to arrest a criminal in the Borough of Reading, they would not receive the same facilities from the police of that borough as they would from the police of another division in the Metropolis, because the capture of a criminal in their borough would take away from their credit. In that way there was not absolute unanimity between the Borough and the County Police, and they did not work in that accord that they would if they were amalgamated. If such an improved system as he suggested were adopted, he would gladly see a Minister of Police sitting on the Treasury bench, and responsible to that House for duties of which he believed the Home Secretary would be very glad to divest himself, considering the enormous amount of work that was thrown upon his shoulders. He would suggest that that subject should be carefully taken into consideration by the right hon. Gentleman. There had been, as the Home Secretary well knew, great dissatisfaction in the Police, and he was sure that, unless steps were taken in the direction he had suggested, that dissatisfaction, instead of abating, would increase to an extent of which the House was little aware. It was clear to him that, though the Police were recently on the eve of a strike, the local authorities were not aware, nor did he believe the right hon. Gentleman himself was aware, of the danger of the position. If the authorities at Scotland Yard did not know the state of feeling then, how was it to be supposed that they would be any wiser in the future, when dissatisfaction was at work in the Force? It would be remembered that the Police had sent in a demand for an increase of pay, and the result showed how, when pressure was put upon the Department, the latter "caved in." The application was made in September, and a reply was sent from Colonel Henderson, who stated that after carefully considering the application of the constables of the N division, and with every wish to do all in his power for the welfare and comfort of the Metropolitan Police, he did not feel justified in recommending to the Home Secretary an increase of their pay; that it was only recently their pay had been augmented; that as regards the Police Fund it would be necessary to apply to Parliament before an addition could be made, and that he was not able to see sufficient ground to justify such an application to Parliament. What was the consequence? The extraordinary fact was, that though Colonel Henderson had written that letter, stating that he could not grant an increase of pay until Parliament met, when the men had broken into almost open rebellion, and had held a meeting at the Cannon Street Hotel, Scotland Yard became frightened, and increased the pay within a month of the application, without waiting for the meeting of Parliament. He should like to know under what circumstances, and by what authority, the Chief Commissioner of Police had dared to say to a large body of men, that he could not increase their pay until Parliament met, and then within a month granting their demand? The consequence of that sort of thing was that men ceased to have any confidence in the acts of those placed over them. He regretted that Colonel Henderson had ever written such a letter, and he much more regretted there had ever been any cause given; for, if Colonel Henderson had understood the situation as well as those outside the four walls of Scotland Yard, he would have known that the Police were in such a state of disaffection that London might have been at any moment deserted by them and left in a most dangerous condition. As a sample of the way in which business was conducted at the Home Office, he would refer to the period of the gas strikes, when the metropolis was on the eve of being left in darkness. At that time, the Chairman of the Imperial Gas Company communicated with the right hon. Gentleman, and informed him of the facts, expecting that the reply he should receive would be satisfactory; but the answer sent by Mr. Winterbotham, in the absence from town of the right hon. Gentleman, was that he could not in any way interfere between the company and their men. He must say that letter gave the Gas Companies much anxiety at the time, and he thought they had a right to expect something more than a mere refusal to interfere. He had occupied the time of the House at some length, and he would only say, in conclusion, that he wished a thorough investigation should be made into the whole of the circumstances which had occurred with regard to the Police during the last five or six years, so as to prevent, as far as possible, a recurrence of the evidences of that disorganization which was very far from being settled yet. The right hon. Gentleman would only be doing justice to those acting under him, if he made a thorough investigation into all the circumstances of this important question, so as to relieve those who had ventured to bring the matter forward from further responsibility in dealing with the case hereafter. He begged to propose the Motion which stood in his name.

Mr. SPEAKER: It is right that I should inform the hon. Gentleman that, the House having already declared that the words—"That I do now leave the Chair," stand part of the Question, his Amendment cannot now be moved. Therefore, it is only open to him to call the attention of the House to the circumstances he has brought forward.

Mr. BRUCE said, he had expected that as the subject brought forward by the hon. Gentleman was important as affecting not only a large body of men, but also the preservation of order and the prevention and detection of crime, the House would have presented a very different aspect from its aspect at that moment. The fact, however, of the scanty attendance of hon. Members proved how little importance was attached to the criticisms of the hon. Member. The Motion, as it stood upon the Notice Paper, embraced the condition of the Police in counties and boroughs, as well as in the metropolis; and yet the speech had been confined almost entirely to the state of the Metropolitan Police; and, in the course of it, the hon. Gentleman had repeated a great many of the statements he (Mr. Bruce) had been under the necessity more than once of correcting—statements, he must observe, which were highly coloured and largely inaccurate, and which he must again meet with denial. The hon. Gentleman had stated that the Metropolitan Police were in the highest state of efficiency in 1851; that they had somewhat deteriorated between that time and 1868, when the deterioration became rapid; and that deterioration he attributed entirely to the military character impressed on the Police. When the Police Force was instituted by the late Sir Robert Peel it was placed under the command of a military man, Colonel Rowan, and Sir Richard Mayne, a civilian. On the death of Colonel Rowan, another soldier was associated with Sir Richard Mayne; and on his death, in 1850, Sir Richard Mayne, having very considerable powers of organization and command, was left in sole management of the Force. It became a model Force, and was studied as such by many European Governments. Sir Richard Mayne, however, was, all through, most ably assisted by two Assistant Commissioners. In 1868, Sir Richard Mayne having died, it was quite true a large body of gentlemen did him the honour to wait upon him, and urged the necessity of appointing a civilian, in order to get rid of the military character of the Force. He remembered asking those gentlemen in what the military character of the Force consisted, and he found that they had the most extraordinary notions upon the subject. When he asked whether a Police Force in a population of 3,000,000 could be wholly devoid of a military character, they admitted that it could not, and said they only objected to the excess. When he informed them that the greatest amount of drill a policeman ever went through was only 14 days when, often a mere rustic, he first joined the Force; and that afterwards it was but 20 or 25 hours in the course of the year, the deputation expressed astonishment, and, as reasonable men, were obliged to admit that such an amount of drill could not be considered excessive. They also recommended that greater attention should be paid to the prevention of crime, and said that much might be done to increase the value of the Force as a detective body. Well, much of that recommendation had been carried out. The assurance which he gave to the deputation had been read by the hon. Gentleman, and he would ask the House whether he had not strictly redeemed the promises he had made. But here he must say that great and gross injustice had been done to a very valuable public servant. The hon. Gentleman did not question the military talents of Colonel Henderson, and said he knew he had acquired great reputation as a soldier. But if Colonel Henderson had acquired this reputation as a soldier, it was at a very early period of his life, for after six years he ceased to perform military duties, and from that period he had discharged none but civil duties. What were those civil duties? When Colonel Henderson had been some six years in the service, he and another military man were appointed by Earl Grey to trace the boundaries between Nova Scotia and New Brunswick, and that task he performed at great personal risk, his colleague having died from exposure and labour. He was then appointed with another Engineer officer to lay out the line of railway between Halifax and Quebec; and, with infinite labour, he did lay out a line which had since been adopted in every material respect. In fact, Earl Grey was so much struck by his abilities, that when he was founding a new convict settlement in Western Australia, Colonel (then Captain) Henderson was chosen to superintend it. He went out with 250 convicts, and, though no preparation was made beforehand, he carried out the project successfully, and for 13 years remained at the head of the settlement. During that time he was a Member of the Legislative Council, and obtained an amount of civil experience which could only be obtained in such a colony. After 15 years' service he returned, in 1863, to this country. At that time great attention was being paid to the question of prison discipline and penal servitude, and great complaints were made and many unjust aspersions directed against the late Sir Joshua Jebb, as to the working of the system he had superintended. A Royal Commission was sitting when Sir Joshua Jebb died, and the Chairman, Earl Grey, struck with the knowledge Colonel Henderson displayed of prison discipline, recommended him to the Home Secretary as successor to Sir Joshua Jebb. After five years' service in that capacity, during which he introduced many valuable reforms, he was appointed to succeed Sir Richard Mayne. That, however, was not done without the most careful consideration of the qualifications of all the applicants, civilians and others. It was Colonel Henderson's successful career that recommended him for the post of Chief Commissioner of the Metropolitan Police. Now, let the House consider what the consequences might have been if he had overlooked the claims of Colonel Henderson, and appointed a mere civilian to the post. What proof could a civilian give of fitness to command a Force of 10,000 men? What opportunities could a civilian have of qualifying himself for such a position? There might, no doubt, be men with faculties for command lying unsuspected, like those of Oliver Cromwell, but how was he to discover them? It would have been a most flagrant violation of duty to appoint to the office some one who had not given proof of his ability to conduct such a department. The hon. Gentleman said that Colonel Henderson had imparted a military character to the Force to a degree unknown to Sir Richard Mayne. The hon. Gentleman, in his speech at a meeting of the Metropolitan Police, in October, 1872, said—

> "First, it is clear to me that the Police never was and never ought to be considered as a military power in this country. I repeat it again—it is a very serious matter when any transformation from a purely civil into a semi-military Force is attempted in this country. The difficulty that will naturally arise if this course is pursued is, that you in troublous times might be called upon to perform duties which belong to the military power behind you. It is not for you to assume the tone which belongs to that profession who are paid so to protect us. Yet the whole atmosphere which surrounds the police is one of a dragooning nature."

Well, one might perhaps, conceive an atmosphere created by artillery, but an atmosphere of "a dragooning nature" was something new to him. But where was the proof? The hon. Gentleman could not produce any, and was it just, right, or fair, when statements of this sort had been publicly contradicted by the responsible Minister, to go on and repeat them as the hon. Gentleman had done? What were the facts? What had been the principal changes made by Colonel Henderson? He had added nothing to the amount of drill through which the men went at the time Sir Richard Mayne was Chief Commissioner; but, while he had not altered the military aspect of the Force, he had, certainly, strengthened it as a detective Force, and with the best results. When Colonel Henderson came to the head of the Force, in 1869, he found at Scotland Yard only 17 detectives—namely, 1 Superintendent, 4 Inspectors, and 12 Sergeants. From that day to this he had been steadily increasing them—feeling his way, of course, because you could not create a Force of that peculiar character all at once. The present number of detectives was 252—namely, the Superintendent, 6 Inspectors, 40 serjeants, and 205 constables. And that Force had undoubtedly borne a large share in the reduction of grave crime which had been brought about in the metropolis. He fully admitted that the diminution of crime was due to more causes than one —and he had over and over again borne testimony to the happy effect of Reformatory Institutions all over the country. But for all that there could be no doubt that a very considerable part of the diminution was owing to the increased efficiency of the detective Force. In 1869, there were 163 detectives, and the convictions obtained by them were 1,533; in 1870 the number of detectives being still 163, the convictions were 3,263; in 1871, the detectives being 183, the convictions were 3,537; and in 1872, the detectives being 203, the convictions were 3,904; and there were now 252 detectives. In addition to that, Colonel Henderson had established, to the great satisfaction of the public, a system of what was called "fixed points." In 1869 108 constables were, for the first time, stationed at certain points in the metropolis, and there were now 211 who were always to be found at given places for the protection of the neighbourhood. Then there were 161 constables specially posted at hackney-carriage standings, and available if their services were required. More than that, Colonel Henderson had established, with the most remarkable results, what might be called brigades of policemen in plain clothes, who patrolled the districts in which night crimes, such as burglary and house-breaking, were most frequently committed. For instance, between Westminster and Kensington, a district which had been remarkably subject to such crimes, from last October up to the present time not one single case had been committed. He would give the House some remarkable statistics. Since Colonel Henderson and, he might say, the present Government had come into office —for both entered on their duties nearly at the same time—the statistics of crime were as follows:—In 1869 the indictable offences against property were 17,388; burglary and house-breaking, 479; robbery, 118; larceny up to £5, 956; larceny from the person, 1,597; receiving stolen goods, 277. In 1870 the same class of crimes were respectively 14,871, 453, 92, 775, 1,198, and 154. In 1871 they were 12,652, 433, 83, 733, 1,178, and 96. In 1872 they were 12,732, 344, 60, 575, 1,174, and 116. That list showed a diminution in crime to the extent of some 4,500 cases. Since Colonel Henderson's appointment, therefore, the cases of burglary had fallen from 479 to 344; robbery, 118 to 60; the more important cases of larceny, 956 to 575; larceny from the person, 1,597 to 1,174; receiving stolen goods, from 277 to 116. The number of houses of bad fame had been reduced from 1,740 in 1869 to 1,148 in 1872; and the number of known thieves at large from 4,336 in 1869, to 3,115 in 1872. It did seem to him a monstrous charge to say that Colonel Henderson had done nothing but stamp a military character upon the Police Force, when he could point to such results as these. One argument used by the hon. Gentleman, which he apparently thought quite convincing, was based on an entire misapprehension of the facts. The hon. Member stated that Colonel Henderson experienced so much difficulty in recruiting the Force that application had been made by the Home Office to the War Office for permission to employ 600 soldiers of the Army Reserve in the Police Force. The fact out of which this fiction had grown pointed to an entirely opposite conclusion to that come to by the hon. Member. The application had come from the Secretary of War, who had requested that the men of the Army Reserve should not be excluded from the Police Force, and the application was made for fear that such exclusion might prevent men entering the Army Reserve. The application was considered, and it was determined that the members of the Army Reserve might be admitted to the Force, provided the number of men so admitted did not exceed 500. Since June last the number of Army Reserve men admitted to the Police Force had been 30, and it was upon this meagre substratum of fact that the hon. Member had seen fit to build one of his chief arguments. Out of a Force of 9,800 men, many of whom were employed in the dockyards and other public Departments, only 700 had formerly been in the Army. No one could doubt the advantage of having a small infusion of men who had been subject to the discipline of the Army enlisted among the Police; such men offered advantages over the raw recruit which no Chief Commissioner would fail to appreciate. Considering the character of the ordinary recruit, the time which must necessarily elapse before he could be allowed to go alone, and the delicate character of the duties the Police had to discharge, it was really satisfactory that the Force could be maintained in its present state of efficiency, and that complaints against the Force were not more numerous. The last charge brought by the hon. Member against Colonel Henderson was such as would shake public confidence in him if it could be proved; but the circumstances in which Colonel Henderson was placed were altogether peculiar. The force of 9,800 men under his control was maintained, not like other Police Forces, by a fund which could always be made equal to the demands upon it, but by a fixed rate. Any substantial increase in their pay, therefore, would necessitate an appeal to Parliament, and Colonel Henderson found that the increased pay which should be given, if any change were made, would necessitate an additional expenditure of £90,000. Believing that the proceeds of the fixed rate would not be sufficient for this increased charge, Colonel Henderson declined to recommend it, and the hon. Member had assured the House that it was through his influence alone that the decision did not result in something like a general strike. The hon. Gentleman, however, had calumniated the Police by that statement. The majority of the Force was loyal in the extreme, and viewed the action of those whose hasty conduct gave rise to the surmise of the hon. Gentleman with great dissatisfaction. But he (Mr. Bruce) had considered the rise of wages all over the country, and had come to the conclusion that the men were justified in asking for an advance of pay, and as soon as he found, on his return to town, that it could be granted without calling for the intervention of Parliament, he no longer delayed acceding to their application. The refusal to go on duty which actually occurred was the result of a sudden resolution adopted without discussion, it lasted only two hours, and was confined to a very few men, and the whole Force had since been in sound condition. The hon. Gentleman, however, had taken the very responsible position of presiding at a meeting of the Police, held without the permission of the authorities. In such a position he was bound to use language of the most cautious description; but what did the House think of the following exhibition of discretion? The hon. Member said—

> "Why is it that in 20 months 2,000 Police have left the Force, and that an inferior class of men are now joining? The question is answered simply—'Because of the shortness of pay, and the absence of any inducement to remain.' I believe that if the Home Office, during the last Session of Parliament, had drawn up a scheme of superannuation, this meeting would never have been called."

The hon. Member had said he had taken great pains to ascertain the facts; but—from whatever cause—he had made a serious mistake, which an examination of public documents would have enabled him to correct. Now, what were the facts? He would refer them to the Reports, and instead of taking 20 months, would take the full two years. He found that in 1871 the number of voluntary resignations was 257; and in 1872, 383, making in all a total of 640. Well, considering the inducements held out to the Police to take other situations, he thought the number was not a very considerable one. Then, for comparison, let them take the years 1865 and 1866, when the Force was much less numerous than it was now, and they would find that the number of resignations was 803. Indeed, whether they judged by the number of voluntary resignations, or by the number of compulsory resignations, they would find that in recent years there had been a large decrease. He came now to what he considered a substantial grievance, not only in regard to the Metropolitan Police Force, but in regard to the Police of the whole country. He referred to the superannuation fund, and he admitted that if there were a chance of carrying it he would gladly submit a Bill on the subject to Parliament. The present scale of superannuation, which was that drawn up by Sir George Grey, had not yet come into operation, and could not come into operation for two or three years. It was, no doubt, possible to improve that scale. And in regard to the Provincial Police Forces greater security was needed in the fund out of which the pensions were payable. Unfortunately, however, it was impossible to deal with the question now, even for the purpose of procuring a better class of recruits for the Police Force, for both sides of the House were exceedingly sensitive as to anything relating to the increase of rates, and he thought Parliament would be disinclined to take up this matter until some understanding was come to as to the relative burdens that should be borne by the Local and Imperial Exchequers. Within certain limits, however, the Secretary of State was empowered to deal with the superannuation of the Metropolitan Police, and he hoped to be able to make some changes which would be no more than just, and would have a beneficial effect upon the future of the Force. The hon. Member asked for the appointment of a Select Committee. Now, the fact was that Select Committees at present sitting were 19 in number, and consisted of 275 Members, and these were Committees on public matters, and did not include a large number of Committees on Private Bills. Motions would also shortly be made for the appointment of three more Public Committees. Now, the question of superannuation would require the consideration of the most experienced Members of the House, and no doubt it would strengthen the hands of the Government if a distinct recommendation were made by a Committee so composed; but he feared it would be useless at that period of the Session to undertake such an inquiry. However, if the House generally wished for it, he would be quite disposed to consent to a Committee on the superannuation question, but he would view with something like alarm their entering into the larger questions which had been proposed. The hon. Member proposed that the whole body of Police throughout the country should be put under the authority of one Secretary of State. From that proposal he (Mr. Bruce) shrank with something like horror. He was old enough to remember the agitation caused by the proposal to institute a County Police; but it would be as nothing compared with the agitation which would ensue if the Government sought to take into their hands the management of the entire Police Force throughout the country, and it would be denounced on every side as an attempt at centralization. In conclusion, he must say that the hon. Gentleman had brought serious charges against the management of the Metropolitan Police, and especially against the distinguished man now at the head of that force; but he (Mr. Bruce) hoped he had shown that these charges were altogether unfounded, and that, judging by any criterion you pleased—in their detection of crime or general good conduct—the Metropolitan Police Force ought to stand as high as ever it stood in the good opinion of the country.

Mr. CLARE READ said, that there had been a great amount of dissatisfaction expressed throughout the Police Force in counties, in consequence of this scheme of superannuation having been dangled before their eyes for the last 10 or 12 years. There was a strong disinclination on the part of men to enter the Force, and when they asked the reason they found that it was generally connected with the superannuation fund. With regard to the military character of the Force, he trusted that it would never be drilled more than was necessary to make the men move in order.

Colonel WILSON-PATTEN said, he was of opinion, that if there was greater unity of action between the County and the Borough Police in the rural districts it would tend much to prevent crime. At present, owing to the want of proper combination and concert between the two parties, much crime escaped detection. As to the Select Committees he had made the same calculation, and had arrived at the same result as his right hon. Friend the Secretary of State for the Home Department; and, in consequence of the number of Committees, it was difficult now to select Members for the discharge of those duties. Much of the difficulty that existed was owing to the practice of appointing more numerous Committees than formerly were appointed; for whereas no Committee used to consist of more than 15 Members, now there was one Committee of 17 Members, four of 19, one of 21, and one of 30. The result was—the subjects referred to the Committees were not better, but were less thoroughly investigated; and in a recent instance, the quorum had to be reduced because the Members did not attend. He called upon the Government to resist the appointment of these large Committees and keep as much as possible to the old rules.

Mr. PAGET said, he had hoped that the hon. Member for Windsor (Mr. Eykyn) would have come down to the House in penitential garb and expressed regret for the part he took last autumn; for, of all the mischievous agitations, that affecting the Metropolitan Police was the most mischievous. It was very well for the hon. Member to say to the Police —"Do not strike," which was much like the advice—"Don't nail his ears to the pump." That was the Gentleman who would have the House believe that his interference was the sole reason why the strike did not assume greater proportions than it did. He (Mr. Paget) did not think it right that this debate should end without a distinct protest against that action of the hon. Member. The Secretary for the Home Department had distinctly proved that many of the statements made on the occasion referred to were utterly unfounded; he (Mr. Paget) himself had had opportunities of becoming acquainted with the facts of the case as they then happened, and was convinced that the operations of the hon. Member were most mischievous, and that his supposition as to military organization had no foundation, and was merely a fiction of his own brain. The Secretary for the Home Department had made a most able defence of a Force which was so thoroughly good in itself that he (Mr. Paget) thought it scarcely needed any defence; indeed, everyone who knew the Police Force and the immense difficulties of the duties they had to perform knew how well, as a rule, those duties were performed. With regard to superannuation, he was quite satisfied that an investigation was necessary after the remarks of the right hon. Gentleman, and he only hoped the right hon. Gentleman would urge the Government to deal with the questions of rating and local taxation, so as to enable him to carry into effect those reforms with regard to superannuation which he was so anxious to accomplish.

Mr. EYKYN wished to ask whether the Home Secretary—[*Cries of* "Order."]

Mr. SPEAKER: The hon. Member is entitled to make an explanation, but not to reply.

Mr. EYKYN said, he did not understand the right hon. Gentleman the Home Secretary's promise in regard to the Select Committee.

Mr. BRUCE said, that with regard to superannuation his statement was this—that if there was anything like a general desire on the part of the House that a Select Committee should be appointed to consider that subject, he should not offer any opposition. But no intimation had been made that such an investigation was desired by the general body of the House, or by the more experienced Members.

ARMY FINE FUND.—OBSERVATIONS.

Mr. SCLATER-BOOTH, in rising to call attention to the Report of the Select Committee of Public Accounts on Army Services, and to move, "That, in the opinion of this House, the balance of the Fine Fund therein referred to, should be paid into the Exchequer," said, that the main object he had in view was to show that on a very important point the War Office had been retrograde. About four years ago a proposal was made by the War Office that the fines inflicted upon soldiers for drunkenness should go to form a separate fund, out of which the sober and well-conditioned soldier should be rewarded. That proposal was acceded to by the Treasury, although not without some hesitation, the requirements being that a public statement should be made as to the receipts and expenditure of the amount. It seemed, however, that from 1869, when the Fund was first established, no public account of it appeared until this year, and that account was produced in February last on the Motion of his hon. and gallant Friend the Member for Hereford (Major Arbuthnot). The Fund amounted, on a balance being struck at the end of last year, to £45,000. He thought it was wrong, and contrary to the usual practice with regard to the Estimates, on the part of the right hon. Gentleman the Secretary of State for War to have withheld the Fund from the notice of Parliament for a number of years, especially considering how liberally Parliament had voted money for the Army; for, on looking back to the Army Estimates for the last three years, he found that certain sums of money had been paid on that account, and that £7,000 had been proposed and voted as gratuities for long service and good conduct, to soldiers on their discharge, and a further sum of £1,000 to enable soldiers to settle in the Colonies. That sum was voted in 1869, and a similar amount in 1870 and 1871; and this year a similar sum was inserted in the Estimates which they were about to vote. It appeared that the right hon. Gentleman the Minister for War had been unable to expend the whole of the Fund, because at the end of three years he was in possession of a balance of £45,852, the calls upon the Fund having been extremely trifling. In fact, there was no object to which the money could be applied in consequence of the soldier's position having been of late so greatly ameliorated. By the Resolution he (Mr. Sclater-Booth) had intended to move, had he not been prevented by the forms of the House, he proposed that the balance accumulated on the 31st of March, 1872, should be paid into the Exchequer. The right hon. Gentleman would probably say that the soldiers had believed that that would be a Fund set apart for soldiers' uses, and that they would feel aggrieved if the fines were diverted from the purposes to which the War Office intended to devote them. But why should the soldier object to the money being paid into the Exchequer, any more than the civilian objected to the fines imposed on him for drunkenness being paid into the county or borough rate for the public good? All the soldiers' wants were provided for by the public, and he would have no right to complain if this Fund were appropriated in the way he suggested. He did not desire, on that occasion, to question the policy of the arrangement made by the right hon. Gentleman—namely, that of inflicting fines on soldiers for drunkenness, and of rewarding others for sobriety; but he would remind hon. Members of the great dangers and difficulties which arose from the fact of balances remaining in the hands of persons who were not directly responsible to Parliament, and would point out that the able gentleman who represented the War Office before the Committee on Public Accounts stated, that in his opinion the public rather gained by this money being left at the War Office, and that it would be a great advantage if the balance should very largely increase. Such was not the spirit which characterized the House of Commons, and he hoped that the right hon. Gentleman, on the part of the Government, would give them a full explanation of the whole matter, and the course they proposed to take. If that was not done he should reserve the right, at a suitable opportunity, of moving for a Select Committee to inquire into the whole subject.

Major ARBUTHNOT remarked that, of course, for the same reason as assigned by the hon. Gentleman who had spoken last he should be precluded from moving the Amendment he had placed on the Paper to the effect—

> "That the balance of the Fines Fund may equitably be applied to the provision of gratuities for those non-commissioned officers and soldiers, whether still serving or discharged, who, though eligible for the same under Royal Warrant 27th December 1870 (paragraphs 896-905), have not received them, owing to the insufficiency of the amount voted by Parliament for that purpose."

He believed the fund amounted to no less than £45,000 in 1872, and was probably now £60,000. That large sum, he ventured to submit, might reasonably be employed in the interest of the well-conducted men of the Army. He wished to guard himself against being supposed to approve of the principle of rewarding well-conducted soldiers with sums of money obtained from the pay of ill-conducted men. He objected to that on military grounds, on which it was unnecessary for him to dwell; but the question did not arise in this case, as his proposal only went to this extent, that the sum of money of which they had unexpectedly found themselves in possession, accumulated from the Fine Fund, and not the amount realized by the Fund in future, should be applied in the manner suggested in his Amendment. In the Treasury Minute, their Lordships appeared to treat this Fund as if it stood on the same footing as the pay of soldiers who absented themselves. This was not the case. The pay of absentees was stopped, but in addition further military punishment was inflicted. In cases of drunkenness the fine was usually the only penalty. "My Lords" declared that it was not desirable to "offer public rewards for sobriety." But a civilian might get drunk in his own house without offending the law, whereas the mere fact of a soldier being drunk anywhere was a punishable offence. Up to three or four years ago the small book furnished to every soldier contained extracts from a Royal Warrant which led them to believe that after 18 years of irreproachable service they would be entitled to a medal, carrying with it a gratuity which they would receive on quitting the service. Since then, however, another regulation had been inserted in the soldiers' books, in which it was provided that the amount should not exceed £40 for 900 men. How inadequate that sum was would appear from the case of the Royal Artillery. That force consisted of 36,000 men, and £40 among every 900 would give £1,600 for the whole regiment. For several years 100 men had been on the average discharged who had qualified themselves to receive these gratuities, but had never obtained them, and this year there would be about 1,000 men serving in the Artillery alone who were never likely to get a shilling of their money though actually qualified. But it did not end there. In many regiments where the soldiers were very young, the sum of money to which the regiments were entitled was not taken up, and the surplus, instead of going to the benefit of other regiments, went back to the Exchequer. He believed an inquiry had taken place, or was taking place, into the subject of pecuniary rewards and bonuses to soldiers. He had not much faith in War Office inquiries; but he hoped that in this case he might not be disappointed, and that some comprehensive scheme for settling the matter would be adopted. If not he reserved to himself the opportunity of moving for a Select Committee, perhaps not until next Session, to inquire into the whole subject of medals and gratuities.

Mr. CAMPBELL BANNERMAN said, that before the present Government took office—namely, in 1867-8—representations reached the military authorities complaining of the system then in existence for punishing drunkenness. Those representations were made by military men of high position and great authority, including Sir William Mansfield, who as Commander-in-Chief in India pointed out that the existing punishment was ineffectual, and advised that a system of fines should be substituted. Sir William Mansfield's letter was remitted to Mr. Mowbray, then Judge Advocate General, who cordially endorsed his suggestion. The Duke of Cambridge thereupon appointed a departmental Committee, which after taking evidence, recommended that the crime of drunkenness should be dealt with by a system of fines, laid down a scale of fines, and said they considered that it was—

> "Essential to the success of any such system, that the fines should be formed into a separate fund, and should, with the concurrence of the Secretary of State for War, be applied towards increasing the rewards to well-conducted men, or to other objects for the general improvement of the soldier's condition."

Sir John Pakington referred the Report of this Committee to the Royal Commission then sitting on Court Martials, which was not composed only of soldiers, but of which many civilians of high authority were members, Colonel Wilson-Patten being Chairman. The Royal Commissioners in their first Report expressed their agreement with the Committee, in the opinion that the existing system of punishments for drunkenness was not only ineffectual, but that it demoralized the men subjected to such punishments. They also expressed their concurrence with the Committee in the recommendation already quoted from their Report, and in the belief that such an application of fines would tend materially to secure the general concurrence of the Army in the alteration. In their second and final Report they again recommended that the fines should "constitute a fund for the benefit of the Army generally." Upon that Report of the Royal Commission, in 1869 the necessary alteration was made with the concurrence of the House in the Mutiny Act and in the Articles of War under the Mutiny Act. In April, 1869, a General Order was issued to the Army, which was as usual read to the troops, and which declared that—

> "The amount accruing from the fines for drunkenness should be formed into a General Fund, to be applied under the Secretary of State to objects tending to the benefit of the soldiers of the Army generally."

On the 1st of May, 1869, the new system came into operation. It then became the duty of the Secretary of State to find out how he could best apply these Funds for the benefit of the Army generally. His right hon. Friend appointed a Committee, which made a Report. That Committee made certain proposals for a system of gratuities under which they estimated the expenditure at £11,000, but it turned out to be only £5,923, while the receipts had been greater than they anticipated; but it must be remembered that it was absolutely necessary that a large sum should be kept on hand to meet the case of any sudden falling off in the income. The disbursements did not commence until January, 1871, when the balance already in hand was £27,000, and that it was a wise precaution to be under the mark in calculating expenditure was shown by a passage of the Treasury letter sanctioning the new system to the effect that—

> "Under no circumstances will my Lords sanction any expenditure in aid of the Fine Fund should the rate of distributing it prove greater than it will support."

The whole thing was, of course, purely tentative, and as to the accusation which had been brought against his right hon. Friend on the score of delay, he could only say that the delay was premeditated. He could not possibly have known until the beginning of this year what the amount of the accumulation would be, and the moment he got the necessary information on the subject, his right hon. Friend gave instructions that, the Fund being so large, it should be shown on the face of the Estimates, in order that nothing might be done in the matter without the cognizance of that House. In the next place, he had referred the subject to the Military Secretary, the Deputy Adjutant General, and to himself (Mr. Campbell Bannerman) in order that they might see in what way it was desirable that the Fund should be expended, so as to keep pace with its income. Although it was said that it would be found impossible to spend it, he could assure the House that there were various ways in which it could be expended, and the Committee of which he was a member had been looking into the question. It was one, however, which required great consideration, and the two distinguished officers with whom he was associated had been procuring all the requisite information from those who were connected with the working of the Army, with the view of ascertaining in what way the money could be best laid out. Nothing had been done in this matter by the War Office without the full authority both of a Royal Commission, of the Treasury, and, so far as it was required, of Parliament. A somewhat similar arrangement had, he believed, been made a short time ago in the case of the Navy, and the Regimental Debts Act of 1863 provided that the unclaimed effects of soldiers might, after the lapse of a certain time, be formed into a fund to be bestowed in a certain way for the benefit of the soldier. There were precedents, therefore, for the present case, and both the Treasury and the House of Commons had authorized the adoption of a similar course. It was not desirable then, he contended, under those circumstances, to break faith with the soldier, and to go back on what had been done when the money could be expended in the way originally intended, and in accordance with the promise which had been made to the Army. The system of fines had been most advantageous to the Army, and it was only by maintaining this fund that that system could be continued.

Mr. LIDDELL said, he wished to look on the question as a financial and not as a military one, and contended that it was irregular to depart, even with the assent of the Treasury, which had been expressed in a very hesitating manner, from the long-recognized rule that all extra receipts should be paid into the Exchequer. It was an evasion of a national obligation to supplement votes of Parliament from irregular and unknown sources. Parliament would not for a moment hesitate to vote money for the reward of deserving soldiers, and he hoped the House would set its face against the practice to which attention had been called. He could not regret with his hon. Friend the Member for North Hants (Mr. Sclater-Booth), the increase in the Army Estimates. However widely on many points of military policy he differed from the right hon. Gentleman at the head of the War Office, he could not help acknowledging that, so far as the re-organization and consolidation of the Army were concerned, he had done more for the service than any Minister of our time.

Colonel NORTH said, he thought that any change in the present mode of distributing the money would cause great discontent after the General Order which had been issued, and which had been well received by the Army. Under these circumstances, he could not support the Motion.

Mr. RYLANDS said, that the Financial Secretary to the Treasury had endeavoured to divert them from the real point at issue. No one wanted to go back to the punishment of imprisonment in the Army, nor did they object that the fines imposed should find their way back to the Army as rewards for good conduct. All they wanted was that the fines should be paid into the Exchequer, and that the money given for rewards should be voted by Parliament.

Mr. HUNT said, he thought that this was a very important matter, utterly irrespective of this particular discussion. The question was, whether they were to revert to the old system of Departments having special funds to deal with, without the control of Parliament, or without the sums appearing upon the Estimates. It was formerly the practice for every Department to endeavour to obtain a fund which they could dispose of without the matter being brought under discussion in the House. The House had, for a series of years, set its face against this practice, and when he was Secretary to the Treasury he brought in a Bill, which was carried, to enable the Treasury to require all extra receipts to be paid into the Exchequer; and he considered that in that way, he had put an end in principle to this system of special funds. The Financial Secretary to the Treasury had endeavoured to divert the issue, by giving an interesting account of the change in the mode of punishing drunkenness in the Army; but the question was, whether the fines should be carried to a special fund, or paid over to the Exchequer. The hon. Gentleman said, that the attention of Parliament was called to the alteration in the Mutiny Act, which enabled the fines to be employed in the way mentioned; but they all knew that the Mutiny Act was passed in blank; that the usual clauses were not even printed, and probably no one but the officials of the War Office knew of the introduction of these particular clauses in the Mutiny Bill. There was nothing in *Hansard* to show that the subject had ever been mooted in the House. But even if attention had been called to the new clauses, it would only amount to this—that the House had sanctioned drunken soldiers being fined instead of imprisoned, and not] that the fines should be employed in rewarding well-conducted soldiers. The hon. Gentleman said, that it was the intention of the War Office to present to Parliament an account of these fines; but down to the present time, he believed that no such statement appeared upon the Estimates. It had been suggested that the fines should be applied for the benefit of the Army. Now, that had nothing to do with the proposition before the House. If rewards were to be given for good conduct, they ought to be voted by Parliament. As to the question of policy, it had been stated that this policy had received the sanction of Parliament. That, no doubt, was true; but the question of the payment of bounties for good conduct had never been brought before Parliament. It was a radical fault that to a certain extent, Parliament had been kept in the dark as to the policy of the War Office on this point. In his opinion, the policy of the payment of gratuities for good conduct and sobriety under the Army Circular of 1872 was deserving of notice. He considered it an inducement to every soldier in the Army to make every other soldier in the Army drunk. Clause 1 stated that—

> "The fines inflicted upon soldiers for drunkenness are appropriated for the purpose of giving gratuities to well-conducted soldiers on receiving their discharge from the Army.

The 2nd clause stated that—

> "The scale of gratuities will be regulated annually, according to the state of the general fund, and will be known by the Army from time to time."

Therefore the larger the fund obtained from fines for drunkenness, the larger would be the distribution of gratuities to well-conducted soldiers. If every well-conducted soldier saw his way to making all his fellow-soldiers drunk the larger would be the share of the fund at his disposal upon his discharge if he had conducted himself well and soberly. Such a system might be productive of great inconvenience in the Army. That was a matter well worthy of discussion, and if there had not been a special fund it would have been discussed before. But the question was, whether the special fund should cease, and the money should be paid into the Exchequer. It had been said that we ought not to commit a breach of faith with the soldier. It was not proposed to do any such thing. The only question was, whether these gratuities should be voted by Parliament.

MR. CARDWELL remarked that the question had been brought down to more rational proportions by the speech of the right hon. Gentleman who had just sat down. Although the right hon. Gentleman was so jealous of any Minister having the command of any fund without its being under the control of Parliament, yet, during the period when he was Secretary of the Treasury and Chancellor of the Exchequer, he had not thought it necessary to bring the Army Reserve Fund under the control of Parliament. When he (Mr. Cardwell) went into office, and found that the Secretary of War had the power of administering the Army Reserve Fund without the control of Parliament, it appeared to him necessary to put an end to that state of things; and he included that fund in the Estimates, for the express purpose that it should always be brought within the control of Parliament. With regard also to this particular fund, he had lost no time in giving directions that it should be dealt with in the Estimates. He therefore agreed with the principles laid down by the right hon. Gentleman, and claimed credit for giving them practical effect. The reason why the item for good conduct rewards had not been included in the present year's Estimate was because, the sum expended under the advice of Colonel Stephenson's Committee not being as large as the soldiers were entitled to, a new Committee had been appointed to advise on the proper scale of expenditure, but it had not yet reported. It was intended to reprint Vote 17 for the purpose of bringing that fund, as in the case of the Army Reserve Fund, under the control of Parliament. It would really be very difficult to conduct the Government, if, after Royal Commissions consisting of the most distinguished men had been appointed by one Government, and their Reports laid before Parliament by their successors, and Parliament had been amply informed of every step that had been taken, it were to be said that Parliament had no knowledge of the matter whatever. In his judgment, it would be unadvisable to pay in the amount of this fund to the Exchequer, because the effect of such a course would be to swell both the Army Estimates and the Treasury receipts by a sum that was really paid with the one hand and received by the other. It would also be a dangerous matter to take possession of this fund, as it would give rise to suspicions in the soldier's mind which it might be difficult to remove. That, however, would be entirely obviated by the course which he (Mr. Cardwell) had suggested of bringing the matter before Parliament in the annual Vote, exactly in the same way in which he formerly brought forward the Army Reserve Fund.

GENERAL SIR PERCY HERBERT concurred in the general principles laid down by the right hon. Gentleman opposite the Secretary of State for War, although he thought reasons might be adduced for departing from them on certain occasions. As to the objections made by the hon. Member for Warrington (Mr. Rylands) in respect to the undue accumulation of this fund, the answer just given to him by the right hon. Gentleman was perfectly sound and complete. He (Sir Percy Herbert) certainly thought, now that some idea could be formed as to its average receipts, it exceedingly objectionable that any large sum should be allowed to accumulate in the fund referred to. It would be most objectionable to pay this fund into the Exchequer, because soldiers and sailors were very sensitive upon all matters that affected their pay and allowances, and any dealing with this fund might affect recruiting. It was quite possible if this Fund were dealt with in the way proposed that soldiers might receive the impression that this system was a mere dodge by which the recent increase in their pay was to be balanced by means of fines. For that reason, it was, in his opinion, quite right that the annual receipts and disbursements in relation to this subject should be placed annually before Parliament in a clear and distinct manner.

MR. HUNT wished to correct an error the right hon. Gentleman had fallen into in regard to the Army Reserve Fund. The right hon. Gentleman thought he (Mr. Hunt) had had an opportunity of dealing with that fund. It had been reported on by the Committee in 1868, but he went out of office in that year.

RUSSIA—BRITISH GRAVES IN THE CRIMEA.—OBSERVATIONS.

Mr. R. N. FOWLER rose to call attention to the Report of General Adye and Colonel Gordon, that had been issued with regard to the condition of British cemeteries in the Crimea. It appeared that the French cemetery at Scutari was placed in the charge of a serjeant of Royal Engineers, who resided in a cottage in the vicinity. He (Mr. R. N. Fowler) thought that a similar appointment should be made by Her Majesty's Government in the Crimea, in order to protect the cemeteries of Sebastopol, which had suffered considerable damages from the cattle that were allowed to browse over them, and still more from the wind and weather. His own observation, when recently at Sebastopol, where he was most kindly taken over the cemeteries and battle-fields by Colonel Himmelman, the Chief Engineer there, led him to confirm the statements of the Report, that the monuments had suffered rather from time and weather than from the desecrations of the Tartar population, though he was sorry to learn from a letter which had been given him since he came into the House that the grave of General Strangways had been opened by robbers. He would give the House some extracts from the Report of General Adye and Colonel Gordon, showing the gradual destruction of the British monuments. The Russians had built a magnificent church in connection with the cemetery where their soldiers were buried, the French had collected their remains in one cemetery, and the Report had recommended that a monument should be constructed in England and sent out for erection on Cathcart's Hill, there being every reason to believe that the Russian Government would offer every facility.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. R. N. FOWLER, in continuation, said, he very much regretted that more interest was not shown in the subject by hon. and gallant Gentlemen who had fought in the Crimea, and by the House at large. He had only called attention to this subject because no Gentleman who had served in the Crimea had done so. He would impress upon them the contrast between the way the Russians and the French provided for the protection of the monuments and graves of their gallant dead, and that in which the British Government had acted towards the cemeteries of their fallen heroes in the Crimea. Some expense must, of course, be incurred in the matter, but neither the House nor the country would begrudge a small sum to be expended in putting the graves of those whose memories were dear to many in the land in a proper condition.

Mr. BAXTER said, that the Government fully recognized the importance of the subject, and the interest attached to it by the nation, and especially by the families of those who fell in the Crimea. The Report had been carefully considered—first by the War Office, and then by the Treasury—and the Government would speedily come to a decision upon it. The matter, however, was not free from difficulty, for the preservation of the monuments must be secured, as well as their repair in the meantime; and the conflicting proposals made would require some little time for consideration. At that moment, moreover, Correspondence was going on between the Foreign Office and the Russian Government, until the close of which a decision would be premature; but he hoped that decision would shortly be announced.

Colonel LEARMONTH said, he was as anxious that as little delay as possible should occur in carrying out the recommendations of the Report, since the cemeteries were falling into great dilapidation. The proposed monument on Cathcart's Hill would be a graceful act on the part of the Government, and would be grateful to the Army and to the friends of those who fell, over some of whom he read the Burial Service under circumstances of such pressure that it was impossible to raise any monument.

Mr. MONTAGU CHAMBERS expressed a hope that while, in concert with Russia, we took steps to commemorate the magnificent services of our Army in the Crimea, the state of the monuments erected at Landguard Fort, in Harwich, to record the services of our officers and soldiers in former days would not be neglected.

CRIMINAL LAW—SHROPSHIRE MAGISTRATES—CASE OF GEORGE WHITEFOOT.—OBSERVATIONS.

MR. P. A. TAYLOR, in rising to call attention to the case of George Whitefoot, lately sentenced to a month's imprisonment for laughing before the bench of magistrates at Shifnal, Salop, said, the statement appeared in various newspapers a fortnight ago, calling forth much criticism and a good deal of indignation, and, if the fact was true, he thought hon. Members would agree with him that a very impolitic, and probably an illegal, act had been committed. At any rate, the judgment was most impolitic and much to be regretted, for it was of great importance not only that justice should be fairly administered, but tempered with mercy; and that more especially, where the party administering the law was dealing with a class not his own. He thought, then, that he was in no degree exceeding his privilege as a Member of Parliament, when he ventured to ask the Home Secretary whether the case had been brought under his notice, and what course he was disposed to take in regard to it? He had reason afterwards to believe that another hon. Member had previously made a similar application, and the right hon. Gentleman had addressed himself to the bench of magistrates to ascertain whether they had acted with "their usual virtue and discretion." The magistrates no doubt answered that they always did act with due discretion, but that on this occasion they had even exceeded themselves both in virtue and discretion. The right hon. Gentleman had rolled that answer up into the consistency of a bullet and discharged it at his head. The magistrates were not discreet enough to content themselves with saying that the man who was condemned for being drunk had been guilty of something like contempt of Court; it did not appear whether they went so far as to deny altogether that there was any laughing in Court; but they distinctly said there was no re-call of the prisoner, and no second sentence. The man had been condemned at the first to one month's imprisonment; not to the payment of a fine, because it would be paid out of the earnings of his mother. He felt that the good nature of the right hon. Gentleman had been imposed upon, and that his popularity in that part of the country would be endangered by the extreme facility with which he had swallowed this most improbable story, amounting to the invention of a whole romance by the reporters for the Press, which should have been recommended to the consideration of that body traditionally notorious for their credulity—the Marines. He therefore resolved to interpose for the right hon. Gentleman's protection, and, applying a large phrase to a small question, to send down a "Special Commissioner" to the disturbed district, who might obtain the real facts on the spot. He would now state them to the House. The hon. Member then proceeded to read a letter from a gentleman of the neighbourhood, a member of the school board, who filled several important local offices, to the effect that he knew Whitefoot well; that he had been twice before the magistrates; that he was summoned before them in March last, and that instead of attending he sent his mother, whom, although it was a common practice in that Court for relatives to appear, the magistrates would not hear in his absence. However, since the death of his father he had become a steady fellow; and on the day in question, expecting to be heavily fined, Whitefoot was so much pleased at being only condemned to pay 30*s.* and costs that he smiled at his brother, upon which Colonel Slaney called him back and said —"You are treating the Court with contempt; I will see if we cannot send you to gaol for six months." That, however, he found they could not do, but they sent him to gaol for one month with hard labour. The hon. Member then read a statement from Mr. James Turner, the reporter to *The Shrewsbury Chronicle*, to the effect that Whitefoot smiled—not at his mother—but at his brother. He also read the statement of the mother to the same effect, and that the money was the son's, as she lived on his earnings; and he likewise read the statements of two gentlemen of the neighbourhood that the man only smiled at his brother. There was no charge more frequently made against Members of this side of the House than that they were continually setting class against class. But he thought nothing they could say or do could have a more decided tendency to produce that result than such a judgment as this. It had every bad element of classism. In the first place there was the great positive severity of the first punishment. If one of themselves played the fool and made night hideous in the Haymarket, they were not mulcted of a twentieth or a thirtieth part of their income. Still less were they sent to gaol if they smiled as they paid the fine. Then, secondly, the class assumption involved in sending a man to gaol because he laughed, or was supposed to laugh. They were told, the hon. Member proceeded to say, that a cat might look at a king; but it appeared that a labouring man should think twice before he smiled in the face of such a mighty man as a county magistrate. But last, and worst of all, what was the moral of this case to the sufferers under such harsh and unjust decisions? What could it be but of their hopeless helplessness under the infliction? When a case of this kind happened, which got into the papers — and there was some troublesome Member of Parliament who gave Notice of his intention to ask the Home Secretary a Question regarding it—the magistrates concerned had nothing to do but to draw up an inaccuracy, and it would be swallowed by the official mind, and be applauded to the echo by hon. Gentlemen opposite. In this instance, the result was, that the feeling of the neighbourhood was one rather of disgust than astonishment, because they regarded what had been done in this case as characteristic. Those on that—the Ministerial—side of the House were frequently charged with setting class against class, but nothing could have a greater tendency to produce that result than such a case as he had stated. He had done his duty, painful though it was, in bringing the matter forward, and he now left it to the Government and to the wholesome influence of public opinion.

MR. BROWN said, he had received very many letters, all confirming the original statement which he had made, that there had in this case been a miscarriage of justice. And not only that, but the Press of the Metropolis and of Birmingham had taken the matter up and cited it as an instance of "Justices' justice." The case was a very painful one, one that had created a very deep and painful feeling throughout the county of Shropshire, and one which was not at all creditable to the magistracy of this country. He did not blame the right hon. Gentleman the Home Secretary, who had stated only what had been put into his mouth; but he would beg of him to make further inquiry.

THE ATTORNEY GENERAL regretted it had become his duty to address the House on this subject instead of the Home Secretary, for by the rules of debate the Home Secretary, having spoken on the Motion before the House, could not reply to the hon. Gentleman the Member for Leicester (Mr. P. A. Taylor), and therefore it was that he (the Attorney General) had undertaken to do so. The hon. Gentleman the Member for Leicester, moreover, had declined to accede to his right hon. Friend's request to postpone the Question until an occasion when the Rules of the House would permit the Home Secretary to reply himself; but the House would no doubt bear with him although he failed to speak with the authority of his right hon. Friend. The hon. Member for Leicester had said he was discharging a painful duty in bringing forward this matter. Some men possessed great power of concealing their feelings, and apparently the hon. Member was one of them, for he had succeeded admirably. The hon. Member had spoken of the Home Secretary as prone to believe improbable stories, but really there seemed to be no story reflecting on the magistracy, however improbable, which the hon. Member would not credit. It would have been better if the hon. Gentleman, instead of dealing in strong insinuations, had studied the facts. He ought to have known that the Home Secretary was not the constitutional superior of the magistrates, but that the Lord Chancellor was, and all that the Home Secretary undertook to do was not to defend the magistrates from attacks made upon them, but, as the organ of that House and as a matter of courtesy, to receive what answers the magistrates charged had to make, and communicate it to the House. The Lord Chancellor being entrusted with the power of appointing magistrates, it was to him that recourse should be had whenever there was a case of gross misconduct on the part of magistrates that called for his interference. A complete review of the facts, too, would show that a great deal had been made of a very little, and that the errors which had been committed were trifling, and had not been committed by the magistrates. The young man Whitefoot was described by the hon. Member as being gifted with qualities seldom found united in the same person—as a decent and tidy fellow who occasionally got mad with drink; and he had been four times before the magistrates in consequence of having got mad with drink. [Mr. P. A. TAYLOR: In four years.] He did not know whether the hon. Member thought a decent and tidy fellow might reasonably be expected to get mad with drink once a-year, but, however that might be, Whitefoot, it appeared, had been from time to time fined by the magistrates for being mad with drink. It appeared, also, that his mother had paid the fines, but it was now ascertained that the money the mother paid was first handed to her by Whitefoot. The magistrates, however, could not be blamed for supposing that the person who actually tendered the money was the person who paid the fine. There appeared to have been a little reticence on both sides in this matter. The information furnished to the Home Secretary had not been as full as it should have been; but, on the other hand, the newspaper writer who had inspired the hon. Member had indulged in the artistic style which some of those writers affect, and in a very luminous and striking paragraph had omitted the fact that this young man had been from time to time mad with drink, and had been taken up and fined. Nobody who read the statement in the newspaper would suspect that this decent and tidy young man had been dealt with before, but would assuredly believe he had been atrociously treated in this instance. On the first occasion upon which he was brought up he was described as having been wild with drink, but the writer went on to observe that though a cat might look at a king this youth might not look at Colonel Slaney. That was all very well as a piece of smart writing; but in this case it was not unfair to observe that the cat certainly seemed to have been a wild cat. Upon the Home Secretary applying to the justices for information on the subject of the hon. Member's question, the following reply was received on the 26th of April—

"I have the honour to acknowledge the receipt of your letter of the 23rd inst., calling for the opinion and observations of the committing magistrates in the case of George Whitefoot, and to inform you that he was not sentenced to a month's imprisonment for contempt of Court, but upon a charge fully proved against him of being drunk and riotous on a highway. George Whitefoot had on several previous occasions been convicted and punished by fine for similar conduct, and his demeanour in the Court of Petty Sessions fully satisfied the justices that no fine they could inflict upon him would be any punishment, as it would be paid, as heretofore, by his widowed mother, who is little able to afford it."

His right hon. Friend was justified in assuming from this that the sentence was a single sentence upon a single offence. When the Home Secretary found the subject was to be discussed that night, a suspicion appeared to have crossed his mind that he had not been put in possession of all the facts, and he telegraphed for fuller information. The following reply was received—

"I beg to acknowledge the receipt of your telegram, and, in reply, I have to inform you that the charge 'drunk and riotous' having been proved against George Whitefoot, the bench, with some hesitation, in consequence of the previous convictions recorded against him, imposed a penalty of 30*s.* and costs. His widowed mother producing the money, the prisoner showed by the levity of his behaviour that the fine imposed was no punishment to him. The bench instantly rescinded their decision, and desired him to await their further consideration. After deliberation, and before entering upon any other business, the bench committed him for one month's imprisonment."

He (the Attorney General) withheld the name of the writer because he considered that these two communications were not creditable to him. His right hon. Friend was in the hands of those of whom he asked information, but it was plain that although the first answer might be true by the card, it was not true in spirit, and his right hon. Friend was naturally misled by it when answering the hon. Member. It was also due to those who had espoused the cause of Whitefoot to say that the second communication put a different colour on the case. It was only fair to separate the magistrates from the writer of those letters. It was not his business, or the business of anyone, to say more. He did not suppose that the magistrates had any intention whatever to mislead the right hon. Gentleman. The facts were before them, but they were not candidly represented by the writer of the letter, and under the Licensing Act they had a perfect right to do what they did, Section 12 leaving it to their discretion to inflict either a fine or a month's imprisonment. In their opinion, a fine was not an adequate punishment under the circumstances, and they did what was not an uncommon thing—something passed which at the last moment induced the Court to alter the original sentence and pass another. At any rate, the punishment inflicted was within the law; and though magistrates did go wrong sometimes, and, like other people, had their feelings and might sometimes inflict punishments which were too severe, still in the main they did their duty and meant to do their duty; and the hon. Member might rest assured that, by taking up cases of small importance in an exaggerated spirit, a re-action was produced in every fair mind, which only did mischief to the cause of fairness and justice, which no doubt the hon. Member, in common with himself (the Attorney General) had sincerely at heart.

COLONEL CORBETT, in justifying the magistrates, said, that they had not acted from the motives which seemed to be imputed to them by the hon. Member for Leicester (Mr. P. A. Taylor), and it was most mischievous to hold up the administrators of the law to ridicule and contempt. From what the magistrates had told him, he was satisfied they only acted for the best in the interests of justice in the neighbourhood, and in the interests even of the young man himself, for a punishment like that they inflicted was far more likely to bring him to his senses than a mere fine.

MR. DILLWYN thought that when one sentence had been passed upon a poor man, and another and heavier one was substituted for it on account of some supposed levity shown by him, that was the way to set class against class. The case was a serious one, and the Home Secretary, in the answer he gave to a Question put on a former occasion, had misled the House on the subject, though quite unintentionally. Therefore, he hoped the right hon. Gentleman would thoroughly investigate the circumstances under which he had been misled into giving the answer he had.

MR. FLOYER said, there was no evidence to show that the additional sentence was imposed upon the prisoner for levity, and there was quite as much reason for supposing that he was imprisoned because the money was paid by the mother, and not by the prisoner. At the same time, while giving the magistrates in this case every credit for acting honestly in the discharge of their duty, he thought it undesirable that when one sentence was passed it should be altered for another of greater severity.

MR. WHARTON said, that in his experience sentences were often altered by Chairmen of Quarter Sessions, and by Judges. The magistrates acted entirely within their power here in sentencing the man to a month's imprisonment.

MR. SERJEANT SIMON said, no one disputed the right of magistrates or of any Judge in a Criminal Court to alter, for good cause appearing at the time, the sentence passed on a prisoner; but as to the sentence of which the hon. Member for Leicester (Mr. P. A. Taylor) complained, a more injudicious—he was about to say a more cruel—sentence he had never heard of. Because the man, having been fined for being drunk, smiled when his mother handed him money to pay the fine, he was sentenced to a whole month's imprisonment—a sentence which he had often seen inflicted at Quarter Sessions for much more serious offences. He was pained at the tone of the Attorney General's speech, and thought that there was no foundation for imputing to his hon. Friend the Member for Leicester in bringing forward this question, the desire to set class against class.

NATIONAL EDUCATION COMMISSIONERS—THE CALLAN SCHOOLS—DISMISSAL OF REV. ROBERT O'KEEFFE.

QUESTION.

COLONEL TAYLOR said, it would be convenient to the House, If the right hon. Gentleman the First Lord of the Treasury would previous to going into Committee of Supply, state when the Notice of Motion which had been given by the noble Lord the Chief Secretary for Ireland was intended to be brought forward?

MR. GLADSTONE: My noble Friend gave that Notice on Monday, with the view that a Committee should be appointed for the purpose of examining the facts of the case, and thus enabling the House to pronounce a right judgment on it; but if there is a disposition to discuss the Motion for the appointment of a Committee, the discussion could not conveniently come on on Monday, as arrangements are already made for that day. I think the best course will be that the Motion should be taken the first thing on Thursday, and with the view of its being brought on on Thursday I will move the postponement of the Orders for that Day.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY.—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £44,925, to complete the sum for Salaries of Law Officers, Law Charges, &c.

MR. WEST said, he thought it unnecessary to discuss this Vote at the present time, inasmuch as there was a Select Committee on the subject sitting upstairs.

MR. RYLANDS complained of the difficulty that there was in investigating these charges, and called especial attention to the Vote of £2,000 for the Legal department of the Foreign Office. He could not understand how it was that, while the legal charges of the Home Department and other Departments were put under their respective heads, that charge was not. He suggested the possibilty of the legal work of the several Departments being consolidated and the expenditure materially reduced, and complained there was no Minister responsible to the House for the Estimate, while the system was so complicated that it was impossible for Members to deal with it, and made some of them wish for a Dictator for three days to sweep abuses away. He trusted the Committee now sitting would be found to lead to considerable economy.

MR. BAXTER said, that when the late Queen's Advocate resigned, Dr. Deane was appointed at a salary of £2,000 a-year, to assist the Law Officers of the Crown on subjects relating to International Law, and as the sum paid to the Queen's Advocate for the performance of the same duties used to be £5,000 a-year, there was a clear saving of £3,000 per annum.

MR. ALDERMAN LUSK said, they never heard of economy in connection with legal expenditure.

Vote *agreed to*.

Mr. Gladstone

(2.) £158,275, to complete the sum for Criminal Prosecutions at Assizes, &c.

MR. SCOURFIELD pointed out that great dissatisfaction had been created by the arbitrary disallowance by the Treasury of prosecution expenses. Complaints had been made about the course adopted not only in that House, but in some of the highest Courts in the land, but there was every reason to believe that the same system was still being pursued. To show that they were arbitrary, he mentioned that in his own county, there had been alternations as to the allowance and disallowance of certain items on different occasions. The amount saved to the country by these disallowances was insignificant compared with the vexation they caused; and the total expenditure for prosecutions was not large, considering that the public welfare made the repression of crime a primary duty of the State.

MR. BRUCE said, the Government had conferred with the Judicature Commission on the subject, and had prepared a Bill, which he hoped to introduce very shortly. The Bill would deal with all these matters, and would, he trusted, remove the objections which had been so strongly urged to the present system.

MR. WHARTON said, he observed an item of £3,883 in the Estimates for the Examiners of Criminal Law Accounts, who exercised the arbitrary power of cutting and carving them. The Committee was therefore asked to vote money for a system which had been condemned. He thought the Committee ought, without further delay, to know what the Government intended to propose.

MR. BRUCE said, he could not help thinking that the hon. Member who had last spoken was somewhat unreasonable in demanding the details of a Bill which he (Mr. Bruce) had not yet asked leave to introduce. He admitted that the present system was unsatisfactory, but the examiners had important functions to perform. Time was when these accounts amounted to £300,000. They were now only £145,000, and economies had been introduced for which the House ought to be grateful. It was not necessary to spend this money when voted; but the House must make some provision until the Bill which he was about to bring in was passed.

Vote *agreed to.*

(3.) £143,778, to complete the sum for the Court of Chancery in England.

MR. MONK complained of the number of salaried officers. He objected to the expenses of various personal attendants of the Lord Chancellor—such as the gentlemen of the chamber, messengers, &c. The Master of the Rolls also had a gentleman of the chamber. He wished to know whether in the new arrangements that were to be made these offices would be held as sinecures?

MR. WEST said, that this matter might safely be left to the Committee upstairs, who had gone into this question at great length.

MR. HUNT said, the right hon. Member for Oxfordshire (Mr. Henley) had shown his foresight when he objected that whenever exception was taken to any Vote it would be said—"Oh, the Select Committee have approved it." There had been to-night two or three of these exclamations. He never regretted his absence from the House more than he did when this Select Committee was appointed to inquire into the Civil Service Estimates. It was the duty of the Government, and not of any Committee, to look to the expenditure. He trusted the hon. and learned Gentleman (Mr. Harcourt) was acting the part of a great economist in that Committee, but he for one did not anticipate much good from its labours.

THE SOLICITOR GENERAL said, all the Judges had principal clerks, and the gentlemen of the chamber to the Lord Chancellor and the Master of the Rolls were really the principal clerks to those Judges under a grander name.

MR. HINDE PALMER thought that great good would result from the Committee on the Civil expenditure.

MR. RYLANDS said, that as the Committee upstairs was to consider the whole question, he would not proceed with an Amendment to reduce the travelling expenses of the Masters in Lunacy.

SIR HENRY SELWIN-IBBETSON said, that there were very good reasons for this expenditure, and he thought the hon. Member had adopted a wise course in not proceeding with his Amendment.

MR. STOPFORD-SACKVILLE asked, whether it was necessary to vote salaries for the officers of the Master of the Rolls when the Mastership was vacant, and seemed likely to remain so?

MR. RAIKES wished to take the opinion of the Chairman of the Committee sitting upstairs, as to the course they should take in the House when Votes were under discussion which were before them upstairs.

MR. CHILDERS said, it would be very unbecoming in him to give an opinion what course hon. Members in such a position should take. He had not intended to speak on this Vote; but he might state that it had been several days before the Committee, and that it was not impossible that before very long a Report would be presented upon it.

THE SOLICITOR GENERAL stated that the officers of the Master of the Rolls were almost without exception officers of the Court of Chancery, and did their work just as well while the Mastership was vacant as when it was filled.

MR. HUNT asked what the Master of the Rolls' trainbearer did when there was no Master of the Rolls? The Solicitor General had said the officers were almost without exception officers of the Court of Chancery.

MR. J. G. TALBOT suggested the postponement of the Vote.

MR. HUNT asked whether it was intended to appoint a new Master of the Rolls?

MR. GLADSTONE said, the right hon. Gentleman opposite appeared to forget that he (Mr. Gladstone) explained a short time ago that as the Judicature Bill was pending it was expedient, as long as arrangements were made for the efficient discharge of the duties, to postpone the appointment. The vacancy could not, of course, last very long, not, he thought beyond the beginning of the Long Vacation, and there was a full intention of appointing a new Master, which would be done with a full understanding as to the re-consideration of all these offices. A postponement of the Vote would be inconvenient, for as much might be said for postponing many others which were before the Select Committee. That would not be a rational procedure, unless the labours of the Committee were likely to terminate in time to enable them to report and to enable the Government to consider the Report, and the House to consider the recommendation of the Government before the end of the Session. This was not possible, but the passing of the Votes would not absolve the Government from the duty of giving effect to the Committee's Report wherever practicable, without waiting for the close of the financial year.

Vote *agreed to.*

(4.) £51,837, to complete the sum for the Superior Courts of Common Law in England.

Mr. WHALLEY moved that the Chairman do report Progress. The hon. Gentleman was proceeding to refer to the expenditure for the Common Law Courts, but——

Mr. CHAIRMAN stated that the hon. Member could not discuss a Vote that had already passed.

Vote *agreed to.*

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £31,478, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for such of the Salaries and Expenses of the London Bankruptcy Court as are not charged on the Consolidated Fund."

Mr. WHALLEY again rose, and said, he wished to obtain from the Attorney General some explanation of this most extraordinary Tichborne case. It affected the Estimates for all these Law Courts. They were denied explanations or answers to Questions put specifically on that subject. But more than that, they were rebuked. He had been most severely rebuked and charged with impropriety by the Home Secretary for presuming to raise a discussion on this Tichborne case.

Mr. DILLWYN: I rise to Order. I want to know whether all this is in Order with the Question before the Committee?

Mr. CHAIRMAN: I have been endeavouring to ascertain whether the hon. Gentleman would connect his remarks with the Vote before the Committee, but so far I have been unable to ascertain the connection.

Mr. WHALLEY: Amongst other offences which the Claimant has committed he has come under the Bankruptcy Law. I connect my observations with this Vote because this man is, amongst other things, a bankrupt. I venture to think, therefore, that this would be a favourable opportunity for the Attorney General to explain to the Committee something of the nature of the difficulties of the Tichborne case. We have been told on a former occasion that it was an insult to common sense to suppose that this man—["Order!"]—

Mr. CHAIRMAN: I am sorry to have again to point out to the hon. Member that in the remarks he is making he has departed from the ordinary rules and practice of the House.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Whalley.*)

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(6.) £364,984, to complete the sum for the County Courts.

(7.) £76,424, to complete the sum for the Courts of Probate and Divorce, &c. in England.

Mr. WHALLEY again rose and said, that Tichborne was also in the Probate Court. Therefore, the Vote offered another opportunity for explanation at the hands of the Attorney General.

Vote *agreed to.*

(8.) £10,499, to complete the sum for the High Court of Admiralty.

(9.) £4,450, to complete the sum for the Office of Land Registry.

(10.) £11,693, to complete the sum for Police Courts, London and Sheerness.

(11.) £191,482, to complete the sum for the Metropolitan Police.

(12.) £315,000, to complete the sum for Police, Counties and Boroughs, Great Britain.

(13.) £374,593, to complete the sum for Convict Establishments, England and Colonies.

(14.) £90,820, to complete the sum for Maintenance of Prisoners in County and Borough Prisons, &c. Great Britain.

(15.) £186,000, to complete the sum for Reformatories and Industrial Schools, Great Britain.

(16.) £25,492, to complete the sum for Broadmoor Criminal Lunatic Asylum.

(17.) £14,850, to complete the sum for Miscellaneous Legal Charges, England.

(18.) £56,290, to complete the sum for Criminal Proceedings, Scotland.

MR. MONK asked the Prime Minister, whether it was proposed to make any change in the mode of paying the Law Officers of Scotland? Those of England were now paid by salary instead of fees, but those of Scotland were still paid by fees.

MR. GLADSTONE said, the cases were not parallel. The remuneration of the Lord Advocate came from a variety of sources, and he was not paid by fees in the same way the English Law Officers had been. In fact, the Lord Advocate's was almost a fixed salary.

Vote *agreed to.*

(19.) £47,754, to complete the sum for Courts of Law and Justice, &c. Scotland.

(20.) £26,113, to complete the sum for the General Register House, Edinburgh.

(21.) £19,793, to complete the sum for Joint Departments of Prisons, Judicial Statistics, &c., Scotland.

(22.) £65,231, to complete the sum for Criminal Prosecutions, &c., Ireland.

(23.) £37,550, to complete the sum for the Court of Chancery, Ireland.

(24.) £23,552, to complete the sum for the Superior Courts of Common Law, Ireland.

(25.) £6,761, to complete the sum for the Court of Bankruptcy and Insolvency, Ireland.

(26.) £10,931, to complete the sum for the Landed Estates Court, Ireland.

(27.) £9,663, to complete the sum for the Court of Probate, Ireland.

(28.) £1,775, to complete the sum for the Admiralty Court Registry, Ireland.

(29.) £13,650, to complete the sum for the Office for Registration of Deeds, Ireland.

(30.) £2,620, to complete the sum for the Office for Registration of Judgments, Ireland.

(31.) £94,967, to complete the sum for the Dublin Police Courts and Metropolitan Police.

MR. MONK complained of the increase of £13,120 for extra pay and allowances.

MR. BAXTER said, there was an increase in the Vote due to an increase of pay caused by the extreme difficulty of getting suitable men.

Vote *agreed to.*

(32.) £819,729, to complete the sum for the Constabulary Force, Ireland.

MR. CANDLISH thought the enormous amount of the Vote could not be satisfactory to the Prime Minister, and required the grave attention of Parliament. He should like to know whether there was any prospect of decrease in its amount? There was an increase this year of upwards of £100,000.

SIR JOHN GRAY said, the Irish Constabulary was to a large extent a military force, appointed and controlled entirely by the Government, and therefore properly supported out of the Imperial Exchequer.

THE MARQUESS OF HARTINGTON said, that the increase in the cost of the police had been made in accordance with an official Report sent through the Irish Government. He did not think that the frequent perpetration of serious crimes in Ireland could be at all attributed to inefficiency on the part of the police.

MR. GLADSTONE said, it was not a healthy state of things that the cost of the local police should be paid out of the Imperial Exchequer, and it might be hoped the time would come when they would see the people of Ireland exercising control over their own police. The whole subject required consideration.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

CANADA LOAN GUARANTEE BILL.

Resolution [May 8] *reported;*

"That it is expedient to authorise the Commissioners of Her Majesty's Treasury to guarantee the payment of a Loan to be raised by the Government of Canada for the construction of Public Works in that Country, and to repeal 'The Canada Defences Loan Act, 1870.'"

Resolution *agreed to:* — Bill *ordered* to be brought in by Mr. BONHAM-CARTER, Mr. KNATCHBULL-HUGESSEN, and Mr. BAXTER.

Bill *presented,* and read the first time. [Bill 159.]

TITHE COMMUTATION ACTS AMENDMENT BILL.

Select Committee on Tithe Commutation Acts Amendment Bill *nominated:*—Sir GEORGE GREY, Mr. HARDY, Mr. BOUVERIE, Mr. WINTERBOTHAM, Mr. MOWBRAY, Sir MICHAEL HICKS-BEACH, Mr. WHITBREAD, Mr. CROSS, Mr. JOHN TALBOT, Sir HARCOURT JOHNSTONE, Mr. CUBITT,

Mr. Magniac, Mr. Beresford Hope, Mr. Stone, and Mr. Arthur P. Vivian:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter after One o'clock, 'till Monday next.

HOUSE OF LORDS,

Monday, 12*th May*, 1873.

MINUTES.]—Public Bills—*First Reading*—Matrimonial Causes Acts Amendment* (105); Customs and Inland Revenue* (106).
Second Reading—Gas and Water Provisional Orders* (87).

NEW PEER.

James Charles Herbert Welbore Ellis, Earl of Normanton in that part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Somerton of Somerley in the county of Southampton—Was (in the usual manner) introduced.

ZANZIBAR—SIR BARTLE FRERE'S MISSION.

MOTION FOR CORRESPONDENCE.

Lord CAMPBELL said, that in moving for the Papers which related to Sir Bartle Frere's Mission to Zanzibar, it was not his intention to detain the House by argument, but he should briefly recall the circumstances which preceded it. Having done so, he pointed out the leading object of the Mission—namely, to enlarge the Treaty of 1845 with the Sultan of Zanzibar for the suppression of the slave trade. There were limits in that Treaty which, according to every African authority, should be considerably narrowed, or entirely removed, with a view to its successful operation. It appeared by a version which was public, and had not been contradicted, that Sir Bartle Frere and Mr. Badger had wholly failed to bend the Sultan to their object. The cause of the failure he (Lord Campbell) was inclined to think had been indicated years ago by Brigadier Coglan, who did much to bring about the separation of Muscat and Zanzibar. The Brigadier had pointed out, in a letter accessible to every one, that the dominion of Zanzibar and the territory of Portugal were conterminous; that the first was a Mahometan, the second a Christian Power; that while the slave trade was permitted or connived at from the latter, it could not with much effect be restrained or made an object of remonstrance from the former. It was well known in that House our policy against the slave trade along the Portuguese sea-board had been entirely thrown into abeyance. It appeared also that French co-operation had been wanting to Sir Bartle Frere. By a Treaty of 1862 Zanzibar was an independent Power, under the joint protection of Great Britain and of France, and the Sultan was thus entitled to refer to France when any new demand was made upon him. Lord Campbell pointed to the fact that the annual Reports upon the slave trade had last year been withheld until the Long Vacation, and expressed a fear that the Papers he was moving for might be the object of a similar delay.

Moved that an humble Address be presented to Her Majesty for, Copies of the correspondence between the British and French Governments on the Mission of Sir Bartle Frere to Zanzibar; of the Instructions given to Sir Bartle Frere; and of his subsequent despatches.—(*The Lord Stratheden.*)

Earl GRANVILLE: My Lords, with good judgment the noble Lord has very briefly alluded to the subject of his Motion—because I think it will be more convenient to the House to discuss this question when all the Papers are before it. I need not remind your Lordships that Sir Bartle Frere left this country last year on a Mission for which Her Majesty's Government are extremely grateful to him—a Mission to obtain information for the Government, and to make arrangements which would enable them to deal more effectually with the slave trade on the East Coast of Africa. Sir Bartle Frere has now completed his Mission. He has obtained most valuable information as regards the state of the slave trade in those countries, and has also given us the means of forming a better judgment as to the mode of dealing with it. He has been exceedingly successful in renewing our treaties with the principal chiefs of the countries on the Persian Gulf, and he has concluded treaties with the Imaum of Muscat and another influential prince. But I am sorry to say that at Zanzibar his negotiations failed. In consequence of that failure, Her

Majesty's Government sent out certain instructions by the last mail, and further instructions will follow. As soon as those instructions are completed we shall lose no time in laying the Papers before the House, and then your Lordships will be able to discuss this large and difficult matter more fully than you could do at present. In asking the noble Lord to withdraw his Motion, I pledge myself that at no distant period all the Papers will be laid upon the Table by command of Her Majesty.

Lord CAMPBELL confessed that he felt embarrassed as to what course to pursue. He wished some noble Lord of experience in the House had risen after the noble Earl, and given him some indication of opinion whether, under the circumstances, it would be wiser to withdraw his Motion.

The Bishop of WINCHESTER earnestly begged the noble Lord to accede to the request of the noble Earl not to press his Motion. As a person who took a very deep interest in the subject, he (the Bishop of Winchester) considered that it would be altogether unreasonable, and most injurious to the cause concerned, to press the Government on the subject at the moment when they were doing their best in furtherance of the common object. He was satisfied that the production of these Papers at present would do more harm than good.

Lord CAMPBELL said, he would not, under these circumstances, press his Motion.

Motion (by leave of the House) *withdrawn.*

House adjourned at half-past Five o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, 12*th May,* 1873.

MINUTES.]—New Member Sworn—William Killigrew Wait, esquire, *for* Gloucester City.

Select Committee — Boundaries of Parishes, Unions, and Counties, *appointed.*

Supply—*considered in Committee*—Civil Service Estimates.

Resolutions [May 9] *reported.*

Public Bills—*Ordered—First Reading*—Criminal Law Amendment Act (1871) Repeal* [161].

Second Reading—Law Agents (Scotland) * [150]; Customs Duties (Isle of Man) * [151]; Fulford Chapel Marriages Legalisation * [160].

Committee—County Authorities (Loans) * [134]—r.p.; Conveyancing Scotland) [108]—r.p.

Committee — Report — Metropolitan Tramways Provisional Orders (No. 2) * [77].

Considered as amended — Superannuation Act Amendment * [135]; Local Government Board (Ireland) Provisional Order Confirmation * [139]; Crown Lands * [140].

Third Reading—East India Loan * [103]; Metropolitan Commons Supplemental * [153]; Railways Provisional Certificate * [156], and *passed.*

ELEMENTARY EDUCATION ACT—PUTTENHAM SCHOOL RATES.

QUESTION.

Mr. DIXON asked the Secretary of the Local Government Board, Whether his attention has been called to the fact that in the parish of Puttenham, Surrey, where there is no School Board, the vestry, after completion of the formal business, decided to levy a voluntary school rate; and that such school rate has been actually collected along with the other rates of the parish without intimation being given on the demand note that the rate was a voluntary one; and, whether such a proceeding is not contrary to law?

Mr. HIBBERT: Sir, beyond the information the hon. Member has given, the Local Government Board have no knowledge whatever on the subject. The Local Government Board has no power to interfere in any way with the vestry; but if the collector collected such a rate without any intimation of its being voluntary, I apprehend he would be liable to a prosecution for extortion, and if the hon. Member shows to the Local Government Board that such a case has occurred, they will inquire into it, and take such steps as may afterwards seem proper.

SOUTH SEA ISLANDS—UPOLO AND THE NAVIGATOR ISLANDS.

QUESTION.

Mr. SALT asked the Under Secretary of State for Foreign Affairs, If the Sovereignty of Upolo and others of the Navigator Islands has been transferred to the United States; and, if so, at what date, and under what conditions the transfer was made?

VISCOUNT ENFIELD: Sir, In February, 1872, our Consul in Samoa reported that Captain Meade, of the United States Navy, had signed a Treaty for the cession of the harbour of Pagopago, in the Island of Tutuela, to the United States as a Naval Station; and in April, 1872, he stated that the Chiefs and Rulers of Samoa had petitioned the President of the United States to annex the Navigator Islands to the United States. It does not appear, however, from inquiries made by Sir Edward Thornton in July, 1872, that such a Petition had ever been received by the President. Mr. Fish at the same time informed Sir Edward Thornton that, although an exclusive right was granted to the United States to establish a Naval Station and Coaling Depôt in the harbour of Pagopago, there would be no interference with other vessels frequenting the port, nor with their trading there, nor with any commercial transactions; neither would it prevent private Coaling Depôts from being established there. Mr. Fish, further on in the year, in November, stated that the Petition of the Chiefs for annexation had been received, but that it had been merely acknowledged. More recent Reports, in February and March of this year, from Sir Edward Thornton, state that the Polynesian Land Company has purchased a large amount of cotton-growing land in the Navigator Islands, and intends establishing in the harbour of Pagopago a trading and coaling station, in connection with a proposed line of steamers between San Francisco, New Zealand, and Australia.

MUNICIPAL CORPORATIONS ACT—THE DEVONPORT WATCH COMMITTEE.

QUESTION.

SIR WILFRID LAWSON asked the Secretary of State for the Home Department, Whether his attention has been called to the following statement in the last Report of the Inspector of Constabulary for the Southern Counties:—

> "That in the borough of Devonport the Head Constable cannot take any complaint against a publican before the Magistrates, without submitting the complaint for investigation by the Watch Committee, in which are persons interested in public houses;"

and, whether such a regulation, if it exists, is according to Law?

MR. BRUCE: Sir, the powers of the Watch Committee, who are appointed by the Council, are defined by Sections 76-77 of the Municipal Corporation Act. It is their duty to appoint a sufficient number of fit men as constables, who must obey all the lawful commands they may receive from the justices having jurisdiction in the borough. The Watch Committee may also frame such regulations as they shall deem expedient for preventing neglect or abuse, and for rendering constables efficient in the discharge of their duties, and they, or two justices, may dismiss any constable whom they think negligent or unfit for his duties. It seems to me that these sections do not confer on the Watch Committee the power of deciding in what cases the police ought to lay an information before magistrates; and that if the police require advice on such matters, the proper persons to give it would be either the justices or the town clerk. I have received a communication from the Mayor of Devonport, who informs me that

> "All Reports of the police against persons not in custody are laid before the Watch Committee, and that after some years' experience as a member of that Committee, he has found them to be invariably actuated by a desire to treat all cases brought before them without regard to any private interests."

MERCHANT SHIPPING ACT—MR. PLIMSOLL AND THE BOARD OF TRADE.

EXPLANATION.

MR. BRUCE: I am desirous, Sir, of correcting a statement made by me on Thursday last with reference to the alleged cases of overloading at Cardiff, and the conduct of the magistrates with respect to them. I stated on the authority, as I explained, of a letter addressed not to me, but to an hon. Member of this House, by the stipendiary magistrate of Cardiff, that out of 60 charges against sailors for desertion, &c., in only two cases was the defence set up that the vessels were overladen or unseaworthy. I have this day received a letter from the stipendiary magistrate of Cardiff correcting that statement. There were only two cases in which overloading was alleged, and in one of these the defendants were discharged. But there were seven allegations of unseaworthiness. In two of these the defence was sustained, in four the sailors were punished, and in one repairs were ordered, and the sailors returned to their ship. Surveys of the ships were held in seven cases.

MERCANTILE MARINE—DISTRESS SHIP SIGNALS.—QUESTION.

COLONEL BERESFORD asked the Surveyor General of Ordnance, Whether, with the view of saving life at sea, steps will be taken, such as those recently adopted by the Lord Mayor of London in Hyde Park, to ascertain the best description of rockets to be used for distress ship signals; and, whether foreigners will be allowed to exhibit their inventions on the occasion of any competition which may take place?

SIR HENRY STORKS: Sir, the Questions asked by the hon. and gallant Gentleman are rather for the consideration of the Board of Trade than the War Department. I can only say that the Board of Trade has been lately in communication with us on the subject, and that at their request we are making for trial both "long lights" and "distress signal rockets." The only object in view being to ascertain the best description of both lights and rockets suitable for distress signals, I have no doubt that the Board of Trade will take every step for this purpose which they may think desirable, and that, in the event of any competition taking place, equal facilities would be given to inventors without regard to nationality.

ARMY — ROYAL MILITARY ACADEMY (WOOLWICH) EXAMINATIONS. QUESTION.

COLONEL BERESFORD asked the Secretary of State for War, Whether on all occasions of examinations for admission to the Royal Military Academy, Woolwich, thoroughly qualified examiners are present in each room during the whole period allotted to the papers; and, whether unfair practices, such as copying or by collusion, are impossible?

MR. CARDWELL: Sir, The examinations for admission to the Royal Military Academy are conducted entirely under the directions of the Civil Service Commissioners. I am informed that on each occasion Gentlemen selected by the Commissioners are present in the several rooms during the whole period allotted to the papers; and though it would, of course, be impossible to say that a case of collusion or copying might not occur, the Commissioners feel confident that any unfair practices of the sort, if resorted to, would be very unlikely to escape detection.

ARMY—CHARGE AGAINST A CAVALRY OFFICER.—QUESTION.

MR. ANDERSON asked the Secretary of State for War, If his attention has been drawn to a statement in the "Manchester Examiner" of 2nd May, alleging that the commanding officer of a Cavalry regiment has been accused of misappropriating the lodging allowance of the riding master of the regiment, and falsifying a War Office Return for the purpose; and, if there is any foundation in fact for these statements?

SIR HENRY STORKS: Sir, an anonymous letter was sent to me in January, extracted from a provincial paper, imputing the conduct suggested in the question, and I immediately instituted an inquiry, the result of which left upon my mind the impression that the charge was unfounded and malicious. If the hon. Gentleman has any information which would justify me in instituting any further inquiry, and would assist me in doing so, I submit that he ought to communicate that information to me before the name of any officer is mentioned in connection with a transaction which is improbable, and so far as I know, or have any reason to believe, unfounded.

POST OFFICE—REGISTRATION OF RELIGIOUS PERIODICALS.—QUESTIONS.

COLONEL STUART KNOX asked the Postmaster General, If he would state to the House on what grounds religious periodicals such as the "The Christian," and others of a like nature are refused the advantage of registration for transmission abroad, while monthly gazettes and magazines of fashion, and papers such as Mr. Bradlaugh's "National Reformer," are stated to have been restored to that privilege; and, whether a statement in the above-named weekly paper, "The Christian," is correct, viz, that no religious periodical unless it contain more news than religious matter is allowed full post office privileges?

MR. MONSELL: Sir, the Post Office Act of 1870, to which I would refer my hon. and gallant Friend, requires that a publication, in order to be registered as a newspaper, shall consist wholly or in great part of news. "The Christian" does not conform to the Act in that respect, and it cannot, therefore, be accepted for registration. All publications which have been registered as newspapers have been in conformity with the Act. I have not seen the statement in "The Christian," but, as I have already explained, "news," whether political or other news, must preponderate, in order to entitle the periodical to rank as a newspaper.

Colonel STUART KNOX: I may ask, Whether news such as the "May Meetings" and advertisements for servants do not come within the regulation?

Mr. MONSELL: I am afraid I must refer my hon. and gallant Friend to the Legal Advisers of the Government. I am told the statement referred to does not come within the department of news, and I may remind my hon. and gallant Friend that the Post Office, at least, has no tests.

DIPLOMATIC SERVICE—STAFF OF ATTACHES.—QUESTION.

Mr. W. LOWTHER asked the Under Secretary of State for Foreign Affairs, Whether the present Staff at each of Her Majesty's Embassies and Legations is sufficient for the duties that have to be performed; and, whether any application has been made during the last twelve months for an increase in the number of the Staff by any of Her Majesty's Ambassadors or Ministers abroad.

Viscount ENFIELD: Sir, the Secretary of State for Foreign Affairs has no reason to suppose that, although in some Missions the number of secretaries and *attachés* is for a time below the ordinary establishment, there are not sufficient present to carry on the necessary duties with perhaps a little increased demand for their time and attention. Applications have from time to time been received to supply vacancies, but Her Majesty's Missions abroad, like the home establishment of the Foreign Office, are liable occasionally to have a reduced number of gentlemen at work in consequence of absence on account of ill-health, the ordinary periods of leave, and change of post.

LOCAL TAXATION—COST OF CRIMINAL PROSECUTIONS.—QUESTION.

Mr. HOLKER asked the Secretary to the Treasury, If he would explain why in the accounts of the Treasurer of the County of Lancaster for the cost of Criminal Prosecutions for the half-year ending June 30th, 1872, the Lords Commissioners of the Treasury have allowed the sum of 6*d*. only for the second class railway fare of witnesses from Manchester to Stockport, whereas the railway fare charged by the Railway Company and allowed by the Taxing Officer is 9*d*.?

Mr. BAXTER: Sir, *The Manchester Railway Guide* shows the second-class fare, to which ordinary witnesses are entitled, to be 6*d*. from Manchester to Stockport. The first-class fare is 9*d*, but only professional witnesses can claim first-class fare under the scale fixed by the Secretary of State.

CUSTOMS DEPARTMENT (SALARIES). QUESTION.

Mr. TREVELYAN asked the Secretary to the Treasury, If he can state to the House whether the salaries of the clerks in the Custom House Department have been materially increased of late years; and, if so, whether he could furnish the House with any information bearing on the subject?

Mr. BAXTER: Sir, the salaries of the clerks in the Custom House Department have been materially increased of late years. I find that since 1858 the average increase in 17 principal ports immediately below London and Liverpool is no less than 44½ per cent, and in six ports—namely, Plymouth, Grimsby, Cardiff, Belfast, Cork, and Glasgow, the salaries have been raised more than 50 per cent. I shall be glad to lay before the House, in the shape of a Return, any other information on the subject which my hon. Friend wishes to obtain.

DOVER HARBOUR BILL. QUESTION.

Major DICKSON asked the President of the Board of Trade, If he is now in a position to inform the House what course the Government intend to pursue with reference to the Dover Harbour Bill?

MR. CHICHESTER FORTESCUE, in reply, said, that the Government had given very careful consideration to the Dover Harbour Bill, and while they were anxious to see improved channel communication, they would be reluctantly compelled to withhold their approval from the measure in its present form, as being calculated to injure seriously the great public work already existing at Dover—namely, the Admiralty Pier. At the same time they were anxious to see their way to the introduction of some plan for completing a public harbour at Dover, so as to combine both military and naval objects on the one hand, and the interests of improved channel communication on the other, and were in correspondence with the Dover Harbour authorities and the Railway Companies for the purpose of seeing what reasonable contribution they would be ready to make towards the work ?

OFFICE OF WOODS AND FORESTS—CROWN TEINDS (SCOTLAND).

QUESTION.

MR. J. W. BARCLAY asked the Secretary to the Treasury, If for several years past the average receipts on account of Crown Teinds in Scotland have been less than the legal expenses incurred by the Office of Woods and Forests in prosecuting parties whom they considered liable to pay ?

MR. BAXTER: Sir, the legal expenses incurred by the Office of Woods and Forests respecting Crown Teinds in Scotland for several years past have, undoubtedly, been very large in proportion to the receipts; but they have not exceeded them, and the Commissioners represent that it was necessary to incur this expenditure as the cases already decided were likely to rule others, and it would certainly decrease in future years.

PARLIAMENT—PUBLIC BUSINESS.

QUESTIONS.

MR. BOURKE inquired when the Judicature Bill would be likely to be brought on, if it were not reached that evening ?

MR. GLADSTONE said, he thought it unlikely that the second reading of the Bill in question could be taken during the present month. Due Notice would, however, be given of the day on which it would be brought on.

SIR JOHN HAY asked when the Navy Estimates would be brought on ?

MR. GOSCHEN said, that next Thursday had been already disposed of for the Motion of his noble Friend the Chief Secretary to the Lord Lieutenant relative to the case of Father O'Keeffe, and the second reading of the Bill introduced by his right hon. Friend the President of the Local Government Board. He hoped, however, to be in a position to state on that day when the Navy Estimates would be proceeded with.

SIR STAFFORD NORTHCOTE inquired after what hour the Committee of Supply would not be resumed ?

MR. GLADSTONE said, it was proposed to take Supply at once, and he had accordingly to move, that the Orders of the Day subsequent to the Order for the Committee of Supply be postponed till after the Notice of Motion relative to the appointment of a Select Committee on the Boundaries of Parishes, Unions, and Counties was disposed of. He hoped his right hon. Friend the President of the Local Government Board would be able to make his statement on submitting that Motion at latest at half-past 10 o'clock, probably at half-past 9. There were not many Votes proposed to be dealt with, and if the Committee of Supply closed at an earlier hour than half-past nine, the statement would be then immediately made. The right hon. Gentleman then moved the postponement of the Orders, with the exception referred to.

MR. DISRAELI said, he thought it would be much more convenient to the House if the right hon. Gentleman the President of the Local Government Board made his statement at once and Supply were taken afterwards.

MR. GLADSTONE said, his right hon. Friend was not then in the House.

PARLIAMENT—THE WHITSUNTIDE RECESS.—QUESTIONS.

MR. BERESFORD HOPE asked the right hon. Gentleman, when it was proposed the Whitsuntide holidays would commence ?

MR. GLADSTONE, in reply, said, it so happened that this year there was a peculiar circumstance to be considered—namely, that a certain Wednesday had been commonly observed as a holiday of late years, although not with quite the unanimous assent of the House, and that that Wednesday came this year in the week before Whitsuntide. It seemed, therefore, almost a pity not to make a combination which would render that Wednesday available as a holiday, if it could be done. The usual practice was to adjourn on the Friday before Whitsuntide until the following Thursday. That being so, they would lose both Thursday, a Government night, and Friday, on which they had a chance of obtaining Supply, if they adjourned on Tuesday. However, if the House would consent to give them a morning sitting on Tuesday, it would be a substitute for the Thursday, and then they would feel justified in proposing an adjournment from Tuesday until the following Thursday week.

Mr. NEWDEGATE asked on what day of the month the House would adjourn, and till what day of the month?

Mr. GLADSTONE: From Tuesday, the 27th instant, until Thursday, the 5th of June.

Motion *agreed to.*

Ordered, That the Orders of the Day subsequent to the Order for the Committee of Supply be postponed till after the Notice of Motion for the appointment of a Select Committee on the Boundaries of Parishes, Unions, and Counties.—(*Mr. Gladstone.*)

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £2,279, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Expenses of the Office of the Lord Privy Seal."

Mr. DILLWYN, in opposing the Vote, said, he considered it was open to question upon grounds both of Imperial and financial policy. A person holding the high position of a Cabinet Minister ought to have a definite and responsible position, and to be at the head of a Department of State; and, unless he did hold such a position, he could not be considered to be as strictly responsible as he ought to be, either to the country or to Parliament, for the due discharge of his duties. No doubt, Ministers so situated had important duties; but they were responsible only to their Colleagues, for Parliament did not know what their duties were. There was no doubt, likewise, that Cabinet Ministers were underpaid, and that the Prime Minister ought, in the interests of the country, to have a much higher salary. They were, therefore, entitled to all the assistance they required, but this office was admittedly in itself almost a sinecure, and yet the Lord Privy Seal had a large staff to assist him in doing nothing. It had been suggested to him (Mr. Dillwyn) that he would obtain more support if he proposed striking off the subordinates; but, objecting to the whole Vote, he disliked attacking subordinates when the chiefs might be dealt with; and one reason why the economies effected by the Government had not gained due favour with the country was, that they had too much attacked subordinates, and left officials in higher positions untouched. Army colonels, for example, had been left while the effective service had been lowered, and dockyard labourers had been dismissed, while the same energetic reform had not been applied to the higher officials. He would move that the Vote be disallowed.

Mr. GLADSTONE said, he was afraid he could impart no novelty to the discharge of a task which he had performed on several occasions before, when the same Motion had come before the House for its acceptance. He did not, and would not contend that the maintenance of this office involved the essence of the British Constitution, and he could conceive some arrangement hereafter of Ministerial duties which would allow it to be dispensed with. The House had from time to time shown considerable inclination to re-arrange Ministerial Offices, but a matured plan had never been arrived at. He did not attach exaggerated importance to the maintenance of Cabinet Offices in their precise form, but he joined issue with his hon. Friend the Member for Swansea (Mr. Dillwyn) on the practical question involved. As a departmental office, he did not substantially question his hon. Friend's description of it as nearly a sinecure; there were, indeed, formal duties, but not duties in themselves constituting a sufficient reason for maintaining the office. He could not, however, agree with his hon. Friend that because the Lord Privy Seal had not departmental duties, he was not a responsible officer. It was quite right that where important departmental duties were performed, heads of Departments should be responsible; but, after all, the greatest responsibility of every Minister in the Cabinet was his responsibility, not for mere acts in his Department, but for the acts and policy of the Government at large, acts for which the Lord Privy Seal was as responsible as any of his Colleagues, the House having exactly the same kind of hold upon him. There was a certain amount of objection to the practice, resorted to but rarely and only on special grounds — that of having a Minister in the Cabinet without a salary. It might, perhaps, be held that there was then a want of something substantial to mark the responsibility; but this objection did not apply to the Lord Privy Seal. His hon. Friend overlooked the vital point—namely, that it was undesirable for the departmental duties of a Government to be equally divided among its Members, so that every one should have a full allowance. That was not the case, and it was of great importance to have on the Cabinet a certain proportion of its Members with comparatively light departmental duties —for they brought a more free and disengaged mind to questions which, in an Empire like this, incessantly demanded the collective attention of the Cabinet, and they were also useful with regard to the incidental and unforeseen public duties continually arising. In addition to the duties performed in this House and in the Cabinet, many investigations had to be undertaken by certain Members of the Cabinet on the part of the rest, for which purpose it was well to have some Members comparatively free. His hon. Friend had fairly admitted that the Cabinet, on the whole, were underpaid rather than overpaid, and that were a demand made for additional assistance he would be disposed to entertain it favourably. He therefore quite understood that his hon. Friend raised the objection as one of principle; but he believed the prevailing conviction of the House was, that it was expedient, not, possibly, to maintain the present arrangements for ever in their present form, but to maintain the present arrangement of the responsibilities and burdens of the Government, because it was one which conduced to the efficient discharge of their duties.

Question put.

The Committee *divided:*—Ayes 229; Noes 59: Majority 170.

(2.) £33,685, to complete the sum for Government Prisons, &c., Ireland.

(3.) £63,463, to complete the sum for County and Borough Gaols, Ireland.

(4.) £4,409, to complete the sum for the Dundrum Criminal Lunatic Asylum.

(5.) £1,960, to complete the sum for the Four Courts of Marshalsea, Dublin.

(6.) £47,109, to complete the sum for Legal Expenses, Ireland.

(7.) £85,061, to complete the sum for the British Museum.

MR. SPENCER WALPOLE, in moving the Vote, called the attention of the Committee to the numerous additions which had been made to the Museum since last year, and he pointed out that although there was apparently a great reduction in the amount, yet that reduction, as compared with the Estimate of last year, was due to the fact that a smaller sum was required for what were known as special purposes. The collection of Roman coins had been largely added to by a part of those special grants; the collection was now nearly complete, and he believed it was the finest in the world. The excavations at Ephesus were still being continued, and fresh excavations had been commenced in Assyria, the cost of obtaining which had been contributed to by the liberality of a private gentleman, the proprietor of *The Daily Telegraph*. He had also the satisfaction of communicating to the House that the Trustees had lately, with the sanction of the Treasury, purchased one of the finest collections of Works of Art ever brought into this country. Amongst them he might mention a bust of Juno, in a nearly perfect state, a bronzed head of Venus, supposed to belong to the time of Scopas, and an Etruscan sarcophagus of terra cotta. He thought that the thanks of the country ought to be given to the Treasury for their liberality in sanctioning the purchase of that unique collection.

MR. BOWRING said, there was an impression abroad that, from the crowded state of the British Museum, there was no satisfactory accommodation for the Natural History Collections, so as to ensure their safe preservation pending the erection of the new buildings at South Kensington.

Mr. MUNDELLA suggested that the Museum would confer a great advantage on country museums by sending interesting objects to them which were not of sufficient importance to justify their being placed in the National Collection.

Mr. SPENCER WALPOLE said, that with respect to the accommodation for the Natural History Collection, they were taking an increased Vote that year for buildings in South Kensington, in which there would be ample accommodation afforded for the Natural History Collection. With respect to the suggestion of the hon. Member for Sheffield (Mr. Mundella), the Trustees had again and again considered the important question as to how far any duplicate works either of literature or art might be sent to other collections. At present the Trustees had no such power, and it ought only to be conferred upon them, in his opinion, with the greatest care; for many things, especially books which appeared to be duplicates, were in fact new editions, and in the interests of literature and science it was of the highest importance that distinct editions should be preserved.

Vote *agreed to.*

(8.) £5,045, to complete the sum for the National Gallery.

(9.) £1,500, to complete the sum for the National Portrait Gallery.

(10.) £10,450, to complete the sum for the Learned Societies.

Mr. M'LAREN called attention to the sum of £10,000 annually given to the Committee of the Royal Society for the purposes of the English Meteorological Department. In Scotland they had a Meteorological Society, but it was entirely supported by voluntary contributions, and received no aid or money from the Government. It was a most important society, having stations in 50 different parts of Scotland, and it would be well if some arrangement could be made whereby a portion of that £10,000 could be given to it.

Dr. LYON PLAYFAIR said, he was very glad to second the suggestion of the hon. Gentleman the Member for Edinburgh (Mr. M'Laren) that the attention of the Government should be drawn to the circumstances of this large sum—not too large for the purpose—which was given to the Royal Society for the promotion of Meteorology. He knew from personal observation that the money was well administered, but he thought the Royal Society was making a mistake in not availing themselves of the co-operation of the Scotch Society, which had observers in the Hebrides and other far-off places in Scotland, and who could give valuable aid to the English Society. He therefore hoped the Secretary to the Treasury would take means to impress upon the Royal Society the desirableness of obtaining the co-operation of the Scotch Meteorological Society. The object of that Society was an extremely useful one; but it was not one to inspire great enthusiasm, and the funds of private subscriptions were not obtained very readily.

Mr. MILLER also supported the appeal of his Colleague the hon. Member for Edinburgh for assistance.

Mr. BAXTER said, the Government were extremely adverse to multiply Votes of this kind. The sum granted to the Royal Society was a large one, and he had no doubt it was well spent; and the Government were very desirous that the English Society should arrange some mode of procedure by which the Scotch Society could have some assistance out of the Vote, without its being necessary for the Government to move any separate Vote for Scotland.

Mr. M'LAREN said, Scotland did not want an additional grant; she was satisfied with what the right hon. Gentleman the Secretary of the Treasury had said—that the Government were desirous they should get something out of the £10,000.

Vote *agreed to.*

(11.) £8,081, to complete the sum for the London University.

(12.) £7,595, to complete the sum for the Endowed Schools Commission.

Mr. NEVILLE-GRENVILLE expressed a hope that the Vote would not again appear on the Estimates, because, in his opinion, the expenses of the Commission should be defrayed out of the income of the schools benefited by it, in the same manner as those of the Ecclesiastical Commission were paid out of the estates which it managed.

MR. SCLATER-BOOTH said, that as the Commission was to expire in the course of the present year, he scarcely saw the necessity for including the Vote in the Estimates.

MR. BAXTER said, it would be better to pass the Vote now, on the understanding that it would not be appropriated unless it was absolutely required.

Vote *agreed to.*

(13.) £16,428, to complete the sum for the Scottish Universities.

(14.) £1,750, to complete the sum for the National Gallery, Scotland.

(15.) £1,980, to complete the sum for the National Gallery, Ireland.

(16.) £1,734, to complete the sum for the Royal Irish Academy.

(17.) £3,286, to complete the sum for the Queen's University, Ireland.

(18.) £3,476, to complete the sum for the Queen's Colleges, Ireland.

(19.) Motion made, and Question proposed,

> "That a sum, not exceeding £231,203, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Expenses of Her Majesty's Embassies and Missions Abroad."

MR. RYLANDS said, that in 1870, a Select Committee had been appointed to inquire into the Diplomatic and Consular Services, and he (Mr. Rylands), had been told that he was bound by the decision of that Committee. It was true that the Committee was appointed at his instigation; but he had no control over the nomination of its members, the majority of whom, from the first, were well known to be in favour of the interests of the services, and opposed to the views which he had advanced. He declined, therefore, to be bound by the Report of that Committee, and appealed to the evidence laid before them, and contained in the Blue Book, which he believed fully supported the opinion, that great economies might be effected. As a rule, Select Committees of that House had recommended increased expenditure upon the Diplomatic Service, and the Foreign Office were always ready to adopt such recommendations. The only Committee of late years which had reported in favour of economy in that department was the Official Salaries Committee of 1850, of which the right hon. Gentleman the Member for North Lancashire (Colonel Wilson-Patten) was Chairman, and if the recommendations of that Committee had been adopted, a very large saving would have been effected. But the permanent head of the Foreign Office had invariably resisted reforms, and in his evidence before successive Committees, had used all his ability and influence to raise salaries and increase expenditure. Fortunately there had been some reforms suggested by the late Committee, in opposition to the expressed opinions of the permanent Under Secretary, which were likely, if adopted, to promote the efficiency as well as the economy of the service. The Committee had recommended, for example, that the junior secretaries should not be removed so frequently as every two years from one mission to another. Nothing could be more absurd than that just when a diplomatic officer had acquired a knowledge of the language and customs of the country, and had attained a position to render valuable service, he should be sent to another mission in a distant part of the world to begin over again. That system, by rendering the members of the staffs less efficient, raised a necessity for the number being larger than would otherwise be required, and it also entailed considerable outlay for travelling expenses. In the Regulations recently issued by Lord Granville, this practice was maintained, although there was reserved to the Secretary of State "full power to extend the term beyond the two years"—a power which it was to be hoped that in the public interest, he would largely exercise. Lord Granville, had, however, adopted an important recommendation of the Committee, to the effect that the Heads of Missions should be required to report annually to the Secretary of State upon the conduct and ability of the Second and Third Secretaries serving under them, and that—

> "Such reports shall be duly considered before any promotion or increase of pay or promotion is accorded to the persons to whom they apply."

That was a most important improvement, and it was recommended by the Committee entirely in opposition to the Permanent Under Secretary, who seemed to imagine that chance reports received at the Foreign Office, possibly the mere tattle of people who had been abroad, were sufficient to enable the

Foreign Secretary to judge of the qualifications of junior diplomatists better than the confidential Reports of the Heads of Missions. Nothing could be worse in its effect upon the service than the old system. There was no encouragement for merit, no punishment for negligence, or inefficiency in the performance of duties. Except in flagrant cases of misconduct, the Foreign Office never interfered, and the service sank into a dull leaden state of mediocrity, in which promotion depended almost entirely on seniority. The late Lord Dalling, when Sir Henry Bulwer, stated before the Committee, that however inefficient or incapable a diplomatist might be, he would, if he lived long enough, rise to be a Minister Plenipotentiary, if not an Ambassador. Another recommendation of the Committee which had been adopted by Lord Granville was also an improvement—namely, an interchange between the Foreign Office clerks and the junior members of the Diplomatic Service. That would enable relief to be sent to any Foreign Minister, who might find his permanent staff unequal to an emergency; and if properly followed up, would lead to economy in the diplomatic expenditure, by keeping down the staffs of missions abroad, at a much lower point. He entirely agreed with another part of Lord Granville's recent Regulations, to the effect that—

> "The Secretary of State reserves to himself the power to recommend the Queen to name any person, even though not in the Diplomatic Service, for the higher and more responsible posts in it."

If that course should be adopted it would enable the Government for the time being to select as its Representatives at the great Courts in Europe, distinguished statesmen from that or the other House of Parliament. It would be an opening for an honourable ambition which would secure the services of eminent politicians, and the mere question of salary would not be held to be of such vital importance. They heard very much of high salaries being necessary to obtain the services of competent men as Ambassadors, but the Prime Ministers of this country, far more heavily worked, and occupying a much more responsible position than a Minister abroad, received only £5,000 a-year. No doubt it would be urged that means must be provided for what were called the costs of representation at Foreign Missions. The Ambassador, it was said, was expected to give large balls, dinners, and other entertainments to those fashionable people from this country who crowd foreign capitals, and who had been introduced at the embassy, or were provided with what were known as "soup tickets" by the Foreign Office. That expenditure might be all very well, if borne by the Ambassador himself, but he entirely objected to its being thrown upon the taxes of the country. He quite admitted that Ambassadors should entertain the Ministers of foreign Powers, and also eminent statesmen and politicians abroad with whom it was no doubt necessary for them to be in friendly intercourse, and the expenditure on that account might fairly be considered in their salaries. In deciding what we should pay for diplomacy, we had a right to ask what did we expect to get for our money? What in these days did we wish to do by means of our diplomacy? During the last generation the character of our diplomacy and that of our foreign policy had entirely changed. Thirty years ago, such affairs as the Spanish marriages, the downfall of dynasties and of foreign Governments, or a small extension of territory abroad, were held to be matters of serious moment by the Foreign Office, and led to endless diplomatic notes and correspondence, but he supposed that now there was no notion on the part of the Foreign Office that we should interfere in such matters. As to many of those changes we had no concern in them; at all events, we had no control over them, and, practically, they had turned out for our advantage. Had Lord Palmerston been alive during the Franco-German War, he would have looked with the greatest repugnance and suspicion at the recent territorial aggrandizements of Prussia, and might possibly, by diplomatic "meddling and muddling," have involved this country in serious difficulties, and yet it was now evident that the consolidation of Germany furnished a great element in the maintenance of peace in Europe. It must be remembered also that the greater facilities of international communications in these days, coupled with the amazing power of the Press in obtaining and circulating intelligence, had affected materially the conditions under which diplomacy was carried on. The telegraph now flashed over the Continent messages containing the latest particulars of important events, or connected with matters of political interest. Lord Clarendon, in his speech in the House of Lords on May 8, 1866, fully acknowledged this great change. He said—

> "There is now little of that secret diplomacy which in former days so much prevailed. . . . . Despatches of the most important character, and entailing the gravest consequences, are no sooner delivered than they are published; and the telegram secures that there shall be no priority of information."—[3 *Hansard*, clxxxiii. 572.]

That was, in fact, the whole gist of the question. Public opinion—far more than private intrigue—determined the action of Foreign Governments. He (Mr. Rylands) did not contend on these grounds that diplomacy should be abolished, but he thought it should be limited to its proper functions, and that it was not needful for us to have so costly a system of representation in all parts of the world. The great States were *foci* of moral influence, and we ought to be properly represented there; but he noticed that the writer of an article in the leading journal, on the Motion of the noble Lord the Member for Middlesex (Lord George Hamilton) respecting the San Juan Boundary, remarked that the gentlemen who represent us abroad make an appearance of doing something, although, in point of fact, they had little or nothing to do. While, however, he did not intend to contest the propriety of our being represented by Ambassadors in the principal Courts of Europe and in the United States, he wished to point out that we paid those gentlemen considerably more as a rule than diplomatists in the service of other Powers received. For example, the German Ambassador at Paris received only £4,800, while our Ambassador there received £10,000 a-year. Moreover, the American Minister in the French Capital was paid only £3,500, though it must be confessed that during the last few years American diplomacy had been far more successful than ours. We paid for diplomatic services in 1869-70 £93,000, the French expenditure during the same period being £95,000, that of the United States £30,000, and that of the Prussians £55,000. As regarded America, he ventured to say that her diplomatists, without any of the adventitious circumstances which surrounded our close system, had completely beaten our Representatives. In addition to the great Embassies, there were in Europe a number of Missions to the smaller Courts; and although we, doubtless, ought to be represented there, it was absurd to maintain in Denmark, Greece, the Netherlands, Portugal, Sweden, and Switzerland, Ministers Plenipotentiary and Envoys Extraordinary, with a staff of secretaries and under secretaries. At these Courts he would suggest that we should be represented by a *Chargè d' Affaires*, with an understanding that a special Envoy should be sent from this country in the event of grave difficulties arising. We had a Minister Plenipotentiary at Berne, with a salary of £2,500, whereas the Swiss Republic was content to be represented in London by a Consul General, with a salary of about £1,200. Again, we maintained several petty establishments which ought to be swept away, such as those at Coburg, Dresden, Darmstadt, Bavaria, and Würtemberg. The smaller German States formed part of the Federal Union, and we only magnified their importance unduly before the world by maintaining our Missions there. We encouraged Russia and France to do the same, and in that way we made those places centres of mischief and intrigue. We ought to support the German Emperor, who wanted to get rid of political and diplomatic representation at these small Courts. Nothing was done by these petty Ministers which was for the advantage of the country. Prince Bismarck, when a junior member of the diplomatic service at Frankfort in 1851, recorded his opinion that the diplomatic agents busied themselves about the merest trifles, and appeared to him more ridiculous than a deputy of a Second Chamber in his full blown dignity; and he said—"None of us know an atom of what is going to happen any more than we do of the next year's fall of snow." The abolitions or reductions which might be made in these smaller German Courts would effect a reduction of £16,000. In South America we kept up an unnecessary staff, by the consolidation of which we might effect a considerable saving. Under these circumstances he thought it a modest proposal to move, as he did, that the Vote should be reduced by the sum of £5,000.

Motion made, and Question proposed,

"That a sum, not exceeding £226,203, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Expenses of Her Majesty's Embassies and Missions Abroad."—(*Mr. Rylands.*)

Mr. SALT, with reference to the Vote of £50,000 for the North American Boundary Commission, asked whether the half of that sum, which was to be paid by Canada, had yet been voted by the Dominion Parliament; and, whether any part of the expense would be borne by the United States Government? It seemed to him that the United States had the best of the bargain.

Viscount ENFIELD denied the assertion of the hon. Member for Warrington (Mr. Rylands) that the Foreign Office was extravagant in its expenditure, and that it had disregarded the recommendations of the Select Committee on the Diplomatic Service. He would quote a statement, showing the increase and decrease on the Diplomatic Estimate since the year 1869-70, excluding the sum taken for special services. In 1869-70 the estimate was £215,867, in 1870-1 the estimate was £208,919, being a decrease of £6,948; in 1871-2 the estimate was £203,876, being a decrease of £5,043; in 1872-3 the estimate was £193,326, being a decrease of £10,550; in 1873-4 the estimate was £197,203, showing an increase of £3,877. That increase was mainly accounted for by the provision made for carrying out the recommendations of the Select Committee on Diplomatic Services with regard to the increase of the salaries of second and third secretaries. These figures showed that the decrease on the five years was £22,541; deducting the increase, £3,877, the net decrease on the five years was £18,664. Therefore, on the score of economy no strong case was made out. As to the removal of second secretaries every two years, the revised rules, confirmed by Lord Granville, reserved full power, for special reasons, to extend the period of service at one place beyond the two years. The heads of missions never failed to report upon the conduct of junior members. The practice of selecting Representatives for important posts from the Diplomatic service already had been broken through in the case of Lord Kimberley, when he was sent to St. Petersburg, and that of Mr. Layard, when he was appointed to Madrid. The hon. Gentleman said that reductions should be made in the diplomatic establishments in the small German States. He would remind the hon. Gentleman that at Stuttgardt and Munich they now had simply a *Chargé d'Affaires.* These States had votes in the German Federal Council, and it must be remembered that upon their votes might depend a declaration of war or the adoption of an important policy. In the Federal Council, Prussia had 17 votes; Bavaria, 6; Saxony, 4; Würtemberg, 4; Baden, 3; and Hesse, 3; and there were distributed among the smaller States 21, making a total of 58 votes. He was not sure that his hon. Friend had alluded to any particular item of increase, except in the matter of wages to servants, which had occurred principally at Constantinople and Teheran.

Mr. RYLANDS wished to have details of the increase separate from the Estimate.

Viscount ENFIELD repeated that the increase was in the amount of wages to servants at the two places mentioned.

Mr. RYLANDS said, if the noble Lord would look at the Estimates for 1869-70 he would see exactly what he wished to be done in future.

Viscount ENFIELD said, he was afraid he could not very well gather from his hon. Friend's statement exactly what he wanted. The hon. Member for Stafford (Mr. Salt) had asked him as to the sum required, £50,000, for the expense of the British North American Boundary Commission. Half of it was to be borne by the Canadian Dominion; and he was not able to say whether or not it had been already voted by the Canadian Legislature. The survey had only just begun. The United States would, of course, have to bear their share of the expenses. What we undertook was to pay half the Canadian Legislature. He earnestly hoped that the Committee would not consent to the reduction of £5,000 proposed in this vote by his hon. Friend (Mr. Rylands). At the same time, he could assure them the Secretary of State was most anxious to make reductions wherever they could be made without detriment to the public service.

Mr. W. LOWTHER said, the hon. Member for Warrington (Mr. Rylands) having alluded to him personally, he would beg to say a few words. It had often given him pleasure, while holding diplomatic appointments under Her Majesty, to see Gentlemen, Members of that House, and other persons of distinction, who were anxious to obtain information abroad, and which they could not have so easily obtained as when provided with what the hon. Member for Warrington called "tickets for soup;" and he had no doubt the hon. Member for Warrington himself, although so decided an enemy to the Diplomatic Body, if he applied to the noble Viscount for introductions before going abroad would receive them. If he did so, no doubt the hon. Gentleman would find our Diplomatic Representatives willing to aid him in every way in their power. The hon. Gentleman had stated that he had sat with him for two years in the same room on the Diplomatic Committee, and he would say the patience of the Committee had been severely tried by the numerous and lengthy questions which were put to some of the witnesses. The hon. Member further said he had sat two years on the Committee, and the result was, that everybody on the Committee was opposed to him; which reminded him (Mr. W. Lowther) of the juryman who complained that he was locked up with 11 obstinate men, none of whom would come to his opinion. The hon. Member complained that, although recommendations had been made by the Committee, they were not always followed. One of the recommendations of a former Committee was, that gentlemen employed in the diplomatic profession should be moved every three years. That recommendation had been carried out by Lord Malmesbury, and now, as he understood, the hon. Member complained of its adoption. The hon. Gentleman contended that our minor diplomatic establishments should be done away with, or left to *Chargés d'Affaires*, and when a difficulty arose a statesman should be sent to settle it. If the hon. Member was behind the scenes, he would know that questions could be often settled very quietly between an Ambassador and a Minister, without raising any alarm at all. Let them suppose that a difficulty arose in Germany, and that Her Majesty were to say to Lord Granville—"We must send out a statesman; there is the hon. Member for Warrington; he has not got any particular hobby in the House at present; let him go and settle the difficulty"—persons who were not acquainted with the hon. Member would feel very much alarmed at seeing a gentleman coming out to settle a difficulty of which he knew nothing; and he (Mr. W. Lowther) did not know that the result would be satisfactory. With regard to the expenses of Foreign Embassies, the hon. Gentleman forgot that the arrangements with regard to the pay of Diplomatic Agents were not the same in all countries; for instance, in America their Representatives received an outfit, and in some cases there was not only an "outfit," but he might call it an "infit." English Diplomats did not receive any infit. It must be admitted, adopting the testimony of Lord Clarendon, Lord Derby, and others, that Her Majesty had a most efficient body of public servants in the diplomatic profession, and they sent home a great deal of most interesting information. No doubt, there was not that secrecy now in diplomacy there was formerly; but still there were secret things going on, and though the news might be flashed by telegraph, a great deal of it was excessively inaccurate. The hon. Member for Warrington appeared to think diplomacy might very well be carried on by telegraph; but after a service of 25 years, and knowing, as he thought, a good deal more of the profession than the hon. Member for Warrington, he must say they had on the whole a very economical, honourable, straightforward, and efficient diplomacy, and the evidence taken before the Diplomatic Committee all tended to prove this.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(20.) £40,030, to complete the sum for Governors, &c., Colonies.

SIR CHARLES ADDERLEY said, he had a few remarks to offer to the House, relative to the proceedings which were taking place on the Gold Coast, and which had involved this country in war. He wished, before agreeing to a grant in aid of West African government, for some explanations about the Ashantee War, the third of those wars in which we had been engaged. These were by no means contemptible affairs; they cost the country a good deal of money, and were very fatal to the troops engaged in them. The House was told the other day by the Colonial Secretary, that an action had taken place on the coast, with results disastrous to the English, and that Her Majesty's ships were engaged in support of the conflict. The Colonial Secretary also stated, what struck the House as being rather remarkable, that his own information about the incursion was so imperfect and inaccurate, that what he had at first supposed to be a force of only 4,000 men, turned out to be an army of 40,000. He wished to ask the Government what was the true state of the case. The occasion, as he understood, was the transfer of the Dutch forts on the Gold Coast to the English Government; a transfer evidently unfortunate, though as the convention was completed, it must be carried out. The last inquiry which that House had made into general policy on the West African coast was that carried on by a Select Committee of which he was Chairman in 1865. That Committee recommended non-extension of English territory on that coast. The inquiry lasted the whole Session, and the Committee consisted of many eminent men, and the conclusion which they came to was, that we had no interest in maintaining governments on that coast, and that our right policy was as soon as possible to enable the natives to manage their own affairs. The right hon. Gentleman (Mr. Cardwell), then Secretary to the Colonies, carried out in the most significant manner the policy thus recommended, and so did all the Colonial Ministers since then, including those of Lord Derby's Administration. In fact, the feeling of the Committee was, that we had no longer any interest in holding territory in West Africa. We held those lands at first to promote the slave trade, and afterwards to extinguish it. But both those motives had now ceased, for the slave trade on that Coast was a thing of the past, it would have been put down much sooner had we operated on the demand rather than on the supply of slaves, and England had no longer any desire to send her forces to that pestilential clime. Our mercantile interest was also certainly in favour of non-extension of territory. Our merchants throve best on the Niger and those parts where they had no English Government or Force to help them to quarrel with the natives. Still, while we remained a better arrangement became necessary, as our intermixture of posts rendered a Customs' revenue impracticable, and the English and the Dutch had exchanged forts. No sooner had the negotiation been carried out, and was about to be put in force, than it was found that it was not so easy for the Dutch to go into English forts, although there was no difficulty in the English, who were more popular with the natives, going into the Dutch forts. These two Powers had allied themselves to different native tribes—the Dutch with the Ashantees, and the English with the Fantis. The Ashantees were a more powerful, half-Arab tribe, pressing the weaker natives towards the sea from the interior. Difficulties of no small magnitude arose, and blood was shed. At last, the Dutch and English considered it necessary on one side or the other to transfer the forts, so that one European Power or other should have all. It would have been fortunate for the English, if the agreement had ultimately been that she should transfer her forts to the Dutch. The result, however, was that in February, 1871, England acquired all the Dutch forts on the western coast of Africa, and took upon herself all the trouble, expense, and liabilities of Government; but the Dutch would retain all the advantages of trade with the country. Then a claim was made by the Ashantees to Elmina, one of the Dutch forts. The Dutch denied that they had any claim to sovereignty, but recommended the English to pay an annual sum of 900 florins, or £80, to the Ashantees, according to an old standing practice with the Dutch. It clearly would have been wise not to have refused to continue the payment, for the consequence of saving £80 a year might be very grave. In the year 1872, other things, complicated affairs, and negotiations had to be very ably conducted by Mr. Pope Hennessy, before they could be got rid of. There was a seizure of German missionaries, whom the King of the Ashantees refused to release until he had received a ransom of £1,000. There was also a question of allowances exacted from merchants at Elmina for Ashantee traders there, which the merchants sought to repudiate. The trade had ceased since 1863, and revived on the transfer of forts. Colonel Harley took the side of the merchants, while Governor Hennessy counselled submission to the exaction. This troubled state of things led to a Fanti Confederation, against which in October, 1872, Mr. Ussher, Administrator of Gold Coast, issued a violent proclamation, "to arrest and commit to prison all committing overt acts on behalf of confederation." Governor Hennessy ordered the recall of this proclamation. After this Colonel Harley seemed to have made an unfortunate speech to the chiefs at Elmina—"The Queen will not permit native customs to continue." Two Kings were arrested and imprisoned at Elmina, and afterwards on board Her Majesty's ships. The result was that the whole coast was under a British Protectorate of the most indefinite kind, and he hoped to hear the assurance of the Government that this country was not likely to be involved in further difficulty on account of such an anomalous state of things.

Mr. MACFIE drew attention to the Vote of £1,800 for the Governor of Western Australia, and suggested that a Vote should be taken next year with a view to survey the land now in the hands of the Crown in Australia, so that we might know what was the extent of it, and how much was available for agriculture and for emigration.

Mr. Alderman LUSK deprecated any new war on the coast of Africa. As far as civilization went, we seemed to make no impression on the coast, and there seemed to be little advance in trade. It was painful, also, to send out Englishmen, who died off so rapidly in that dreadful climate.

Mr. KNATCHBULL-HUGESSEN said, his right hon. Friend the Member for North Staffordshire (Sir Charles Adderley) was in error in supposing that our ships had taken part in the recent conflict on the West Coast, for the battle really occurred some miles inland. He was glad to say that the Houssas, or local police, who were engaged in it on the side of the Fantis, had behaved in a most creditable manner, and had exercised great moral influence over the Fantis, who in consequence had made a more strenuous resistance to the Ashantees than they had ever before been known to do. We had looked forward a long time to this local police force, upon which the defence of the West Coast must ultimately depend. The climate was fatal to white men, and hardly less so to the West India regiments; and the local police was a safer, a more economical, and more efficient Force than any other for the defence of the forts of the West Coast. The organization of such a Force, however, was a work of time. It was true that the number of Ashantees invading the Coast had been under-estimated; but there was great difficulty in obtaining accurate information among these savage tribes, and the tendency to exaggeration was such that Colonel Harley had in a previous despatch expressed his opinion that the number was much more likely to be 4,000 than 30,000; and as soon as more certain information had undeceived him, he had so reported, and he (Mr. Knatchbull-Hugessen) had taken the earliest opportunity of making the correction known to the House. His right hon. Friend had alluded to the policy of the Committee of 1865, and seemed to think that the sooner we were out of West Africa the better. Now, it was quite true that one of the resolutions of the Committee on the West Coast was to the effect that all further extensions of territory, or assumptions of government, or new Treaties affording protection to the native tribes, would be inexpedient, and that our best policy was gradually to fit the natives for the administration of the government, with a view to our ultimate withdrawal from the whole coast, except, possibly, from Sierra Leone. But, however good such a policy might be, the publication of that recommendation had not been altogether fortunate. The effect of making known that our intention was to withdraw from the West Coast was naturally to place a weapon in the hands of those who wished to excite disquiet and stir up disaffection. In fact, there were many reasons why it would be better for us to withdraw at once than give to the native tribes the notion that we were only staying there as long as it suited our interest to do so. But were public opinion and the opinion of the House really in favour of any such withdrawal? Some time ago it appeared that France was ready to take the whole Settlement of the Gambia. An outcry arose, however, both in the House and in the country, and when, owing to the state of France, the negotiations were broken off, universal satisfaction was expressed with his announcement that there was no intention of resuming them. If, then, the House of Commons and the country were reluctant to part with the Gambia, he thought they would hardly be prepared to part with the other British Settlements on the West Coast. Nor did he admit that no good came from holding them, for during our occupation trade had greatly developed, the resources of the country had largely increased, and civilization and Christianity had made considerable progress. On the Gold Coast there was an intermixture of government between the Dutch and the English, and it was found inconvenient to have such a double government. The Treaty whereby the Dutch forts were ceded to us, stated that the mixed dominion of Great Britain and the Netherlands on the Coast of Guinea had done much harm to the native population, and that was why the Dutch forts were accepted by the British Government. The policy then pursued had never been challenged in the House of Commons, and he believed that the bringing of all the forts under one Government was advantageous to the locality and acceptable to the people of this country. His right hon. Friend found fault with the way in which the transfer was carried out, and stated that prior to the signing of the Convention, the King of Ashantee laid claim to the fort of Elmina. The printed Correspondence showed, however, that we refused to take the forts until the King of Ashantee had himself stated that the supposed advancement of his claim was wholly a mistake. He had addressed a letter to that effect to the Dutch Governor, who had replied in terms which informed the King that his letter was understood as a complete renunciation of his claim, and in such interpretation he had acquiesced. After that formal renunciation, surely, no one would argue that we ought to have put a stop to the negotiations, because this savage Monarch might, at some future time, again eat his words and advance his claim. As to the payment to the King of Ashantee, we declined to have anything to do with the forts until the Dutch Government had stated that it was intended solely for the encouragement of trade and not as a tribute, and the King had himself admitted that such was the case. Papers on all these matters would be shortly presented to the House, and it was desirable to abstain from discussing them more fully at present. He must, for that reason, abstain from expressing any opinion upon the general views of Mr. Hennessy upon these matters, but in regard to the speech Colonel Harley was said to have made, he must state that, in fact, it was never delivered, although, no doubt, Mr. Hennessy had been informed that it was, and as it had been asserted that the war was owing to Colonel Harley's bad management, he was bound to call attention to the fact, that the Ashantees had actually marched before Colonel Harley had even arrived at the Gold Coast. The right hon. Gentleman had alluded to the arrest of two Kings, but he did not seem to be aware that this was quite a separate transaction from the arrest of the King of Elmina—the two Kings, one of the Dutch and the other of the English native tribes, at Secondee, had been arrested on account of a quarrel between them, in which houses were plundered and property destroyed, but the King of Elmina's arrest was a different affair. The latter arrest was most fortunate, for there could be little doubt that he was in league with the King of Ashantee, and that he had taken an oath to destroy the British power. As to introducing the oath of allegiance, it should be remembered that exceptional cases required exceptional treatment, and that method had been resorted to before under similar circumstances as a test of loyalty to the British Crown. By his refusing to take the oath of allegiance, the King of Elmina showed to the Governor that the charges brought against him were probably not without foundation. The British Protectorate of the West Coast of Africa, which his right hon. Friend could not understand, was clogged and hindered by the existence of domestic slavery. Wherever territory was held by this country, slavery, of course, could not exist, but it was impossible to abolish domestic slavery among the native tribes, and that circumstance had been the main obstacle in the way of our acquiring territory on that coast. From this, too, arose the fact that the British Protectorate was of a somewhat indefinite character; but he believed the feeling of the people of England was that we ought to exercise a moral and beneficial influence over the native tribes. We had endeavoured to extend Christianity, to advance civilization, and to open up trade. We had already done much towards accomplishing these objects, and he hoped we should do more. The Government were taking active measures in order to put an end to the war, but it was their earnest desire in no case of this kind to use force if peaceable negotiations were likely to be available. In reply to the hon. Member for Leith (Mr. Macfie), he had to state that in all those colonies where responsible government was established, the Ministers of the Government naturally had control over the waste lands, and we could only deal with the young colony of Western Australia in the same way as we had done with the other Australian colonies.

Vote *agreed to*

(21.) £3,016, to complete the sum for the Orange River Territory and St. Helena.

(22.) £72, to complete the sum for the Slave Trade Commissions.

(23.) £11,229, to complete the sum for Tonnage Duties, &c.

MR. WHITWELL said, according to a statement of Mr. Stanley, the discoverer of Dr. Livingstone, it appeared that captured slaves who were liberated had to serve an apprenticeship of five years, but the local Government received a small profit on this transaction. He suggested that any such profit ought to be given to the liberated Africans.

MR. ALDERMAN LUSK observed that under the heading of "Clothes and Stores" he observed a sum of £10 taken for supplying clothes to liberated Africans. He desired to have some explanation as to that item. Full-dress in Africa was not a costly affair; but £10 to meet that source of expenditure seemed a very small affair indeed to appear in the Estimates.

MR. BAXTER said, that the clothing of an African was, as a rule, somewhat sparse, and for that reason the sum asked for was sufficient for the purpose for which it was taken. If it were not spent it would be repaid to the Treasury. He would admit that the suggestion of the hon. Member for Kendal (Mr. Whitwell) deserved attention.

Vote *agreed to.*

(24.) £4,429, to complete the sum for Emigration.

MR. MACFIE regretted that there were greater facilities for emigrants to go to the United States than to our own colonies, and expressed his opinion that the Board ought to consider the matter with a view of retaining a larger proportion of the emigrants under the dominion of the British Crown. The Board was originally constituted to develop the lands of the British Empire, The right hon. Gentleman had said that if the colony of Western Australia asked for the control of their lands, it would be given to them in the same way as it had been given in reference to other colonies. This was to be regretted, because experience had shown that the effect of that policy was to prevent such lands from being available for the people of this country. In his opinion, this course should not be followed any further, especially as these lands in Western Australia were almost the only ones now remaining under the control of Parliament. In his opinion, the infusion of a little new blood in reference to the constitution of the Board would do good.

MR. ALDERMAN LUSK asked why the Staff of the Emigration Commission had not been reduced, though an important part of their duties had been transferred to the Board of Trade?

MR. KNATCHBULL-HUGESSEN replied, that there had not yet been an opportunity for a full revision of the Staff.

Vote *agreed to.*

(25.) £4,200, to complete the sum for the Treasury Chest.

(26.) £317,996, to complete the sum for Superannuation Allowances.

MR. WHITWELL asked to what extent superannuation had gone on for the last year?

MR. BAXTER said, he was not aware of any change which had recently taken place; there was very little difference from year to year.

MR. MELLOR said, that the name of the Rev. Thomas Thurlow appeared upon the Vote; but he did not know what office that gentleman had filled nor how long he had remained in it. His own opinion was that it had been a sinecure from the commencement, and the sooner they affirmed the principle of disestablishing such Votes as this the better. The gross sum which that Gentleman had received amounted to £493,000, and the matter was really a disgrace to the Government and to the country.

Mr. RYLANDS called attention to the fact that in many cases of superannuation the amount simply was given without reference to the age of person or any particulars.

Mr. DICKINSON also said, that no information was given in reference to the age of the pensioners. Last year there was an Act of Parliament granting the Accountant General in Chancery his full allowance of £4,200 a-year; yet they were not informed in the Estimates of his age or his period of service.

Mr. BAXTER said, that there were important discussions in the House last year as to the Accountant General's case, when the decision of the Government was overruled, and he was granted his full pension. The omissions of information in the Votes would he hoped in future be supplied. The hon. Member (Mr. Mellor) had referred to a matter of very remote antiquity, and he (Mr. Baxter) was not able to give an account of it. The pension was given to Mr. Thurlow about 40 years ago.

Mr. DICKINSON said, power was given last year to grant a pension amounting to the full salary under special circumstances, and he wished to know what the special circumstances were?

Mr. MELLOR asked if the Government were perfectly satisfied that Mr. Thurlow was still alive?

The CHANCELLOR of the EXCHEQUER: He is alive; I have made inquiries.

Vote *agreed to.*

(27.) £33,588, to complete the sum for the Merchant Seamen's Fund.

(28.) £27,500, to complete the sum for Distressed British Seamen Abroad.

(29.) £15,750, to complete the sum for Hospitals and Infirmaries, Ireland.

(30.) £4,616, to complete the sum for Miscellaneous Charitable and other Allowances, Great Britain.

(31.) £4,924, to complete the sum for Miscellaneous Charitable and other Allowances, Ireland.

(32.) Motion made, and Question proposed,

"That a sum, not exceeding £14,027, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Incidental Expenses of temporary Commissions."

Mr. BOWRING remarked upon the niggardly character of the Vote for the expenses of the Royal Commission for the Vienna Exhibition as compared with the liberal grants of all other Governments, and said, that but for the spirited manner in which several gentlemen—notably Sir Richard Wallace—had come forward and lent Art productions for exhibition in Vienna, we should have been left behind. Great praise was also due to British exhibitors in the industrial departments for taking upon themselves the entire cost of the exhibition.

Mr. F. S. POWELL asked as to when the Rivers Pollution Inquiry Commission and the Aid to Science Commission were likely to terminate?

Mr. BAXTER said, the Commission on the Pollution of Rivers was expected to conclude its labours during the present financial year, and the Aid to Science Commission to conclude its labour in the course of the following financial year. It was part of the duty of the Treasury to see that the various Commissioners brought their labours to a conclusion as quickly as possible.

Mr. RYLANDS objected to the item of £300 for the salary of the English Secretary at the Vienna Exhibition. The gentleman sent to Vienna in that capacity received a standing salary of £600 per annum as Superintendent of the South Kensington Museum, and as he was to receive £150 for rent at Vienna, and also two guineas per day for his personal expenses, he was surely not entitled to £300 in the shape of additional salary. Moreover, his duties at South Kensington Museum had to be discharged by some one else in his absence. He would, therefore, move the reduction of the Vote by £300.

Motion made, and Question proposed,

"That a sum, not exceeding £13,727, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for the Salaries and Incidental Expenses of temporary Commissions." —(*Mr. Rylands.*)

MR. BAXTER admitted that in principle it was undesirable to take men from their ordinary duties and pay them extra for other work, but this was an exceptional case. He maintained that there were occasions on which a person was pre-eminently fitted for discharging the duties of such a post as that of Secretary to the Vienna Exhibition Commission, and that was one of those occasions. He believed the gentleman in question, Mr. Owen, was the very best man who could be sent to Vienna for such a purpose. As he was the best man, it would have been unwise to have passed over him because of his position in the public service; while the extra pay was deserved for special duty, which, if performed by anyone else, must have cost much more.

MR. BOWRING also thought Mr. Owen was the most fit person they could find to perform the duties attaching to his position. He said this from an intimate acquaintance with his character and attainments. If anyone else had been sent to Vienna, the country would have had to pay at least £1,000 a-year, instead of the small sum which the gentleman in question was to receive.

MR. RYLANDS did not for a moment dispute the eminent qualifications of the gentleman acting as Secretary to the Commission; but he objected to the policy.

MR. SCOURFIELD, in reference to the sum of £5,000 in the Estimates, remarked that the words prefixed to it—"Commissions which may hereafter be appointed," left a good deal to the imagination.

MR. SAMUELSON explained that the Science and Art Commission had a very wide range of inquiry. It had sat only two years, and he believed it would finish its work next year. It had lost no time, and it had been exceptionally economical.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(33.) £2,545, to complete the sum for Oceanic Investigations.

(34.) Motion made, and Question proposed,

"That a sum, not exceeding £5,165, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for certain Miscellaneous Expenses."

MR. MONK took exception to expenditure for investing persons with the Orders of the Garter and the Thistle. Last year he gave Notice that he would move the reduction of the Vote, because he thought persons receiving Orders should pay any expenses connected with them; and he, therefore, now moved the reduction of the Vote by £1,000.

Motion made, and Question proposed,

"That a sum, not exceeding £4,165, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1874, for certain Miscellaneous Expenses."—(*Mr. Monk.*)

MR. BAXTER said, this item varied every year, and was fixed in the Lord Chamberlain's Department, it being a matter over which the Treasury had very little control. This year 25 badges of the Colonial Order of St. George would involve an outlay of £775; and you could not ask the recipients of these honours to pay for them.

Question put.

The Committee *divided:* — Ayes 12; Noes 54: Majority 42.

Original Question put, and *agreed to.*

(35.) £983,015, Customs Department.

MR. MACFIE asked, whether any further consideration had been given to the proposal to consolidate the Customs and Inland Revenue Departments?

MR. BAXTER said, the question was still under the consideration of a Select Committee up stairs.

MR. ALDERMAN LUSK pointed out that in this Vote there was an annual sum of £4,083 paid for the superannuation of three secretaries. He wished to know how it was that so many secretaries had been superannuated?

MR. DICKINSON observed that the superannuation allowances in question were £1,300 a-year each, though the working salaries were very little more.

MR. BAXTER said, he was quite unable to explain the matter; but he would obtain the necessary information before the Report was brought up.

In reply to Mr. BOWRING,

MR. BAXTER said, the supervision of the various outport establishments had been completed, and while the establishments at London and Liverpool were to be greatly reduced, the establishments at the outports would be considerably increased. A Return would shortly be laid before the House showing all the recent changes that had taken place in the Customs Department.

Vote *agreed to.*

(36.) £1,678,236, Inland Revenue.

Mr. MACFIE asked, whether there was any prospect of carrying out the plan, which had been approved, whereby the post offices throughout the country should sell stamps of every description?

Mr. DICKINSON said, in this Department there were also three secretaries superannuated, receiving £3,310 a-year.

Mr. Alderman LUSK suggested the propriety, now that duties were levied on tea, coffee, sugar, and fruit only, that the Customs and the Inland Revenue Departments should be united, and a large number of solicitors, secretaries, Commissioners, and other high officers thus got rid of.

Mr. BAXTER said, that whatever arguments might be used in favour of it, such an amalgamation would greatly add to the Estimates for a long time to come. In reply to the Question of the hon. Member for Leith (Mr. Macfie), he might say that the system of selling stamps at the post offices was already in operation, and it was being gradually extended.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

LOCAL TAXATION—BOUNDARIES OF PARISHES, UNIONS, AND COUNTIES.

MOTION FOR A SELECT COMMITTEE.

Mr. STANSFELD, in rising to move the following Resolution:—

> "That a Select Committee be appointed to inquire and report whether the existing Areas and Boundaries of Parishes, Unions, and Counties may be so altered and adjusted as to prevent the inconvenience in matters of Local Administration and Taxation which now arises from the limited extent or subdivision of certain Parishes, or the overlapping of Parishes in two or more administrative areas, or from Parishes and Unions being situated in more than one County, with power to recommend whether any and, if so, what measure should be taken to give effect to their Report,"

said, he ventured to state that the terms of the Resolution alone were a sufficient recommendation, or would be to those who were familiar with the question, for there was hardly any hon. Member of the House who was not fully conscious of the incongruities, and of the inconveniences consequent upon the incongruities, of the areas and boundaries of fiscal and administrative jurisdiction in this country. The Union was an aggregation of parishes, but the parishes sometimes overlapped the Union, and the Union overlapped the boundary of the county. The object of the Committee would be simply to take into consideration the inconvenience of the existing anomalies, and to advise the House and the Government whether it would not be possible, and worth while, to endeavour to accomplish some simplification of, and harmony in, the area of these boundaries. The first area with which they had to deal was the parish. Probably, most hon. Members were aware that there was a distinction between an ecclesiastical parish and a civil parish; but he did not know how many were aware that at present there were in England and Wales no less than 15,453 of these civil parishes. A definition of a civil parish, sometimes called a township, was this—that it was a place in which poor might be settled and overseers might be appointed for the collection of the poor rate. The House would also understand that if there were about 16,000 civil parishes in this country, a great many of them must be far too small, both as regarded area and population, to have any reassonable cause for their existence. Besides the smallness of many of these parishes, it was well known that many parishes extended into three or four or more counties; and the Ordnance Map afforded clear demonstration that a very great many parishes were subdivided, having outlying parts miles from the mother parish. Without troubling the House too much, he was bound to give some instances which he thought would be curious, and perhaps some of them unexpected, of these anomalies. In the first place, with respect to the area of parishes; some of them were very small: in the county of York he found that in the Union of Howden there was a parish called Cheapside, with only 7 acres, number of houses 15, and population 41. In the Union of Clitheroe, in the county of Lancashire, there was a parish called Clitheroe Castle, consisting of 6 acres, 1 house, and a population of 9. In the county of Cumberland, in the Union of Carlisle, there was a parish called Eaglesfield Abbey, consisting of 5 acres, 11 houses, and a population of 49. In the Union of York there was the parish of Mint Yard, consisting of 4 acres, 11 houses, and a population of 59. In the Union of Bristol there was the parish of St. Werbergh, consisting of 3 acres, 5 houses, and a population of 18. In the Union of Belford, in the county of Northumberland, there was the parish of Monks' House, consisting of 1 acre, 3 houses, and a population of 3. In the Union of York there was the parish of Davey Hall, consisting of a quarter of an acre, 4 houses, and a population of 14. He had taken these figures from the Census Returns; but on referring to a Return made for the Local Government Board, which was slightly irregular and somewhat incorrect, it stated the population of such and such a parish to be one old woman, a pig, and a donkey. These were, no doubt, exceptional cases; but he would now refer to a number of inhabited houses and the population of a certain number of parishes. There were 880 parishes containing less than 10 inhabited houses in each; there were 515 which contained less than 10, 92 contained 4 each, 89 contained only 3 each, 18 contained only 2 each, and 96 contained only 1 each. The Returns of population were still more curious. There were 782 parishes in which the population did not exceed 50. The number of parishes containing 40 inhabitants and not exceeding 50, was 173; the number of parishes containing 30 inhabitants and not exceeding 40, was 189; the number of parishes containing 20 inhabitants and not exceeding 30, was 168; the number of those containing 10 and not exceeding 20 inhabitants, was 150; while 98 parishes contained only from 1 to 10 inhabitants, and 14 parishes were positively uninhabited. He had spoken of the number of parishes which traversed the boundaries of counties. It was not so large as that of the Unions, but still he found no fewer than 150 parishes which were in more than one county, and no fewer than 400 which were partly within, and partly without, the urban jurisdictions and borough districts. With reference to the detached parts, perhaps that constituted one of the greatest anomalies of the present system. He would mention a few of the cases taken, not exceptionally, but at random, which were extremely remarkable and instructive. In the Northern Division of the county of Durham there were four townships, each of which had one detached part, and the extent of area of the detached portions of these four parishes varied from one acre to 10 acres. There were two townships, each of which had two detached parts, the area of such detached parts varying from one acre to 27 acres. Three townships had each three detached parts, with areas varying from one acre to 55 acres. There were four townships, in each of which there were four detached parts, the areas of the detached parts varying in area from 0·38 of an acre to 392 acres. One township had five detached parts, varying in area from four to 67 acres. Another township had seven detached parts, varying in area from three to 52 acres. Then there was one township with no fewer than 19 detached parts, which varied in area from 0·29 of an acre to 258 acres. He would now give one or two more instances in other localities. In the ancient ecclesiastical parish of Holme, in the county of Cumberland, the number of townships and the numbers of the detached parts were 7, 22, and 46 respectively, and a marsh common to three of the townships. In Durham there was the parish of Lanchester. It contained 17 townships, only one of which was entire, the remainder having from one to 19 detached parts. Again, in the West Riding of the county of York there was the ancient parish of Whitgift, in which one township—Swinefleet—happened to have no fewer than 97 detached parts. To a certain extent, that question of parishes and their detached parts had been already dealt with by legislation, though not with reference to the subject-matter of the present proposed inquiry. What he proposed now to do was to consider areas and boundaries purely from an administrative point of view; but he wished to draw attention for a moment to the Boundary Act of 1832, which followed the passing of the first Reform Act. At that period 42 of the political counties contained detached parts of parishes which were themselves in other counties. Of those 42 counties, 26 were dealt with by the Boundary Act of 1832, which annexed the de-

tached parts of the parishes for political purposes to the counties by which they were surrounded. Sixteen counties were not dealt with, he presumed on account of political reasons affecting the minds of those who had to deal with the question at that time. In 1844 another Act, founded on the statute of 1832, was passed. It dealt only with those parishes and detached parts which had formed the subject-matter of the previous Act, and it made them a part, for all county administrative purposes, of the counties in which they existed. The question, therefore, was in this position—There were a great number of parishes with detached parts in some counties, and with detached parts in other counties; consequently, where the detached parts of a parish lay in another county, they formed a part of that county for political and for county financial purposes, while for parochial or Poor Law purposes, the detached parts remained as they were prior to the passing of the Act of 1832. Again, many parishes crossed the boundaries of administrative boundaries. With regard to these a different state of things existed, because the Union was built up out of the parishes by the labour of the Poor Law Commission in 1834. He had been satisfied that the Poor Law Commissioners of that period felt that they were bound to construct the Unions by an aggregation of parishes mainly with respect to questions of administrative convenience—namely, such as the most convenient town for building the workhouse, and the assembling of the guardians for the discharge of their duties; and in many cases they were compelled to transgress, in the composition of their Unions, the boundaries of the county proper. The result was that out of 647 Unions, 177 overlapped the boundaries of counties; 133 of those Unions were in two counties, 31 were in three counties, and three Unions were in four counties. There were only two counties, Cumberland and Northumberland, the areas and boundaries of which coincided with the Unions which were contained in them. Now, his purpose was simply to deal with the question from the point of local taxation and local government and administration, but he wished to state that the Registrar General had referred, in 1851, in reference to the Census Returns, to the inconveniences and perplexities caused by the variety of ecclesiastical, military and civil, judicial, ancient and modern, municipal and Parliamentary subdivisions of the country, and had suggested that in any future Census all administrative arrangements would be greatly facilitated by the adoption of an uniform system of territorial division, and a similar opinion was again expressed in 1871. To secure, on that data, what he hoped the Committee would undertake to consider and report, was, first of all, whether it would not be possible to endeavour, it was of the highest importance to have by consolidation, to reduce the number of these 15,416 civil parishes, and a large proportion of which he had indicated to be of too small a character to justify their separate existence for purposes of taxation. In the next place, the Committee might consider whether an end should not be made of all these subdivisions, and of the existence of these detached portions—whether, in fact, each parish should not be its own ring-fence. That would not be a work of insuperable difficulty, but it would involve a certain amount of labour for which hon. Members familiar with the work of local government would be qualified. Another question would arise in this way—When we had to form a local government district under the Sanitary Acts we were bound to form it with reference to certain conditions. We could not look to Union boundaries; we had to look to the actual and probable future growth of the nascent urban population. It was a common thing to be called upon by the inhabitants of a town which was not yet a borough to define boundaries with reference to this expected growth, and to define municipal boundaries with reference to the same considerations. It might, therefore, be very advisable, when districts of this kind were constituted, to have the power of saying that those parts of rural parishes which had been made urban should be either attached to the town or constituted into parishes themselves. The next question would be, whether it was not only desirable, but absolutely necessary, that every parish and every Union should be brought entirely under the same administrative jurisdiction. It was also a matter of serious consideration whether it would not be advisable that for all administrative purposes there should be the same county area. In the next place, having arrived at a conclusion on these various topics, it would be for the Committee to report its recommendations, and how they could be best carried into effect. There were many matters which could be managed by the ordinary Staff of the Local Government Board; but one of these subjects was, however, exceptional, and that was the assimilation of the area of boundaries of parishes, Unions, and counties, and that he thought, would be best investigated by an independent Commission. Amongst all these questions that was the most important and the only difficult one, for there were 150 parishes which crossed the boundaries of counties, and 177 Unions which did so. There were three methods by which that object might be accomplished. It might be done by simply altering the boundaries of parishes and Unions. When the present First Lord of the Admiralty instructed the Inspectors of the Poor-Law Board to study the question in their respective districts, the general result of their inquiry was to the effect that such a scheme would not be feasible, consistent with the necessities of the case, and certainly not consistent with the burdens of the Boards of Guardians. The next method would be to deal with the boundaries of counties, and not to touch the boundaries of parishes and Unions. He however did not think that was a course which the House was likely to adopt, for as far as he was concerned, he confessed he thought the boundary of a county was the last that ought to be touched; that we ought to try every other method to accomplish our object, and that we ought to be satisfied, by independent inquiry, of the necessity, if it should prove to be one, of changing the boundaries of counties to any serious extent. The third method would be to combine both the measures named, in what proportions would have to be defined; and he thought it might be possible to alter Union boundaries more than the Inspectors thought advisable, without detriment to local administration and without an unnecessary alteration of the boundaries of counties. The House would sympathize with the general object that every smaller area should be embraced entirely within a larger one, and he did not think he could guarantee that that object could be attained, without in the last resort dealing in some cases with the boundaries of counties themselves. Whether the political boundary of a county should be dealt with was a question entirely beyond the scope of the subject, and he did not propose to touch it. He should be able to prove to the Committee, if it were appointed, that we could alter the administrative county without trenching upon the county political, though he had no objection to the Committee discussing the boundaries from the political as well as the administrative point of view. He was conscious of the advantage of the uniformity and identity of boundaries for all purposes; but he could undertake to show that no serious inconvenience would follow from leaving the political counties exactly as they were, and altering the boundaries for administrative purposes; but that if we did not reconcile and harmonize boundaries for administrative purposes, we should incur serious disadvantages in future legislation. Suppose boundaries altered for administrative purposes, there would be an alteration of the area of county taxation for all purposes. County rates, however, were comparatively the lightest, and the variations in them were slight compared with the differences between other rates in different counties. Another effect would be the changing of highway districts conterminous with existing boundaries; and a third effect would be the alteration of petty sessional divisions. The latter, supposing the alterations of county boundaries to be trifling, would not be a matter of serious inconvenience, and it would be attended with positive convenience, by enabling Unions to transact their business at one petty sessions instead of two. Justices in the commission for one district could, if necessary, be placed in a second commission. His first object, therefore, would be, as far as possible, to make boundaries of parishes and Unions without touching counties in any case; and, in the second place, if he were driven, in certain cases, to impose modifications of county boundaries, it should be for administrative purposes only, leaving the political county where it was. These were the proposals he should have to make to the Committee if the House should grant it. He had argued the question so far simply on the ground of convenience, supposing they had no further measures of constructive legislation to propose. But he should fall very short of expressing the motives which impelled Her Majesty's Government in the action they proposed to take, if he confined himself to a statement of that kind. The three Bills which had already been read a first time dealt with matters of considerable practical importance. They dealt with the abolition of exceptions from rating; with uniformity of assessment for all purposes, whether of Imperial taxation or local rates; and the third Bill dealt with the consolidation of rates. His next proposal was to enable the Government to address themselves to a matter of far greater importance and interest, and for which a Committee was in their view a necessary preliminary—namely, the reform of the system of local self-government itself. Now, the reform of the system of local government meant, inevitably in the first instance, the reform, the reconstruction, if necessary, the simplification, the harmonization of the areas of local government, and when they had prepared the way by simplification of areas, then the time would come when they might address themselves to the question of the construction and functions of the local government that should preside over and administer local government law within those areas. Now, the construction of these bodies must in their view be based on the principle which pervaded almost all the institutions of this country, and which belonged to its oldest traditions—he meant the representative principle. The problem of the best government, to his mind, was the problem of the best self-government. From the smallest local government that existed—from the vestry of the smallest parish to the High Court of Parliament itself, they found the principle of self-government, and of representative self-government, had obtained throughout the history of this country. There was only one exception to that rule, and, strange to say, that exception was to be found in the very largest and most important area of local government which the country possessed. In the counties the functions performed by the justices were insufficient; he thought much more might be done from an administrative point of view; but whether these functions were sufficient or insufficient, it was a remarkable fact that what he might call the missing link in the chain of representative self-government was to be found in the area of the county, where local government assumed its highest functions in the widest extent, and came into direct contact with Imperial objects. The recent history of the government of counties was somewhat curious. He found in 1850 Mr. Milner Gibson introduced a Bill for the formation of County Boards. It was referred to a Select Committee, which reported against it and it was dropped. In 1861 a Bill with similar objects was introduced by Sir John Trelawny, Sir John Shelley, and Mr. Barrow, which after some discussion was also dropped. But in 1868 a Select Committee reported in a very different sense on the question of the constitution of County Boards. That Committee was appointed to inquire into the present mode of conducting financial arrangements in the counties of England and Wales, and whether any alteration ought to be made in the persons by whom or the manner in which those arrangements were conducted. It recommended, that in order to give satisfaction to the ratepayers, Boards of Guardians should elect representatives, who should be admitted to take part and vote at all meetings of magistrates held in their counties for the consideration of questions of county expenditure; that in Poor Law Unions a representative might be elected for the county where there were at least six parishes, and where there were a less number, the parishes might be added to the adjoining Union for the purpose. The House would, therefore, see that that Committee had attempted, though by means which he thought imperfect and insufficient, to overcome the incongruity of the boundary line between Unions and the county. Subsequently, a Bill was founded on the Report of that Committee by the present Under Secretary for the Colonies (Mr. Knatchbull-Hugessen), and that Bill also was not passed. There had been considerable difficulty in dealing with the question; he had experienced it himself; but, since the House had of late years given attention to sanitary legislation and administration, it had begun to perceive that there were many duties which a County Board might perform, besides the administration of taxation and expenditure. Last year, when he introduced the Public Health Bill, he explained to the House that dealing with the question of County Boards implied also that of county boundaries; that that question was a delicate one, and could not be approached with any prospect of success, except through the medium of a Committee of the House of Commons, probably to be followed by a Commission of Inquiry. Those considerations, he thought, went in favour of the re-construction of County Boards. It would be premature for him at the present moment to endeavour to suggest what functions should be assigned to such bodies. Whether those functions were attributed to them at once, or were accorded to them by natural growth, he had no hesitation in expressing his conviction that they were destined to become great institutions in the country. He ventured to remind the House that in the administration of the Department over which he had the honour to preside, he had given some evidences of the importance of enlarging the areas of local administration, and, if possible, of considering the question of administration within even the smaller area of counties. During the last year or two he had done his best to promote county conferences of Boards of Guardians, to discuss, among themselves, the principles of Poor Law administration; and the meetings which had taken place for that object had, he believed, been productive of great good. Local administration in these matters would, he felt convinced, tend to render easy and to simplify the relations between local and Imperial government; and he trusted that the most qualified men in the country would be induced to take part in bringing that result to pass, and would make it the object of an honourable ambition. When the time came to make proposals on the recommendations of the Committee—and he did not think that time would be far distant, the time would also come for considering the financial aid to local burdens which Her Majesty's Government would give, and in moving for the Committee, which, unfortunately, the state of his voice compelled him to do in fewer observations than he should otherwise think desirable, he wished to be allowed to record this conviction. He believed when the time came that we should have a complete system of local government, that financial assistance which the House desired, might be afforded without those dangers which were likely to arise if that aid were given at the present time. He believed it might be afforded then without any danger of enervating the spirit or relaxing the fibre of local government. He believed that aid might be afforded so as to stimulate its spirit, to add to its independence, and especially so as to minimize that detailed interference, that supervision of Government departments which he could assure the House was as objectionable to the minds of the Members of the Government as it could be to those of any other persons. Lastly, he believed that aid could be rendered under such conditions as not to make local expenditure careless, extravagant, or lax, but so as to stimulate that spirit of efficiency and economy which ought to be inseparable from the administration of local government in this country. The right hon. Gentleman concluded by moving for the appointment of the Select Committee of which he had given Notice.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire and report whether the existing Areas and Boundaries of Parishes, Unions, and Counties may be so altered and adjusted as to prevent the inconvenience in matters of Local Administration and Taxation which now arises from the limited extent or subdivision of certain Parishes, or the overlapping of Parishes in two or more administrative areas, or from Parishes and Unions being situate in more than one County, with power to recommend whether any and, if so, what measures should be taken to give effect to their Report."—(*Mr. Stansfeld.*)

MR. ASSHETON CROSS said, the country would be somewhat disappointed at the measures which Her Majesty's Government offered on the subject of local taxation. He quite agreed with the right hon. Gentleman when he said that they only touched the very fringe of the question; but after the Resolution of the House passed by such a large majority last year, every one had a right to expect that Her Majesty's Government would have gone a great deal deeper. The House had a long explanation from the right hon. Gentleman the other night, pointing out the difficulties of this really difficult subject, and saying a great deal about the want of information on the part of the Government, and how they did not feel justified in laying before Parliament propositions dealing with the whole matter, until they had made more inquiries with a view to obtaining complete information. That might be all very well; but the House and the country would not forget that, some years ago, Her Majesty's Government stated that they were prepared to deal with the question; and not only that, but the present First Lord of the Admiralty laid before the House a series of propositions for the purpose of giving certain relief. Therefore, Her Majesty's Government were either now delaying what were really useful practical measures on the plea of want of information, or two or three years ago they were guilty of laying before the House measures with regard to which they had not that information which was required. He did not see how Her Majesty's Government could escape from the horns of that dilemma. Having said so much, he was by no means averse to the appointment of the Committee; but the right hon. Gentleman must expect great difficulties when the Committee met in re-adjusting the boundaries of which he had spoken. The right hon. Gentleman had spoken of the counties, of the highway districts, of the towns, of the Poor Law districts, of the petty sessional divisions, and so on. But it should be remembered that those various divisions had all been formed, because they appeared the most suitable for the special purposes for which they were designed. It was all very well to carve out England into a certain number of squares, but when the Committee came to deal with the question, they would find a great number of interests, some pulling one way and some another. Take, for instance, the question of municipal towns and Unions. It might be very convenient that the boundaries of the two should be identical; but everybody knew that persons living in the country, just outside the town, derived great advantages from their position, and that the town was entitled to call upon them to contribute something to the poor rates. The right hon. Gentleman had said that it would be wise to have the same administrative county—or, in other words, that the boundaries of the present county should be enlarged in order to take in some of the adjoining townships. But by doing that, they might entirely change the incidence of the county rate, they might be bringing a set of ratepayers who had hitherto had a small county rate into a county where the county rate might be very large. The right hon. Gentleman proposed to revise the municipal boundaries. Unfortunately, there was scarcely a single borough in England which was not very deeply involved in debt; and he could not help thinking that the debt was multiplying at so rapid a rate that some day or other it would be found to be a great evil. Indeed, in many cases the rates of the boroughs were so heavy that people were leaving them and going into the country to live in order to escape the burden. The right hon. Gentleman proposed, in order to make a nice arrangement on paper, that everybody within a given red square should contribute in the same proportion.

Mr. STANSFELD said, the hon. Gentleman had entirely misunderstood him. He would explain that he had simply suggested it would not be advisable that some portions of a parish in a given area should be severed from other portions remaining outside, and he had endeavoured to show it was advisable to make the area of parishes coincide with the municipal boundary.

Mr. ASSHETON CROSS said, that practically the injustice he deprecated would be done. If certain parishes at present suburban were joined to a municipal borough, the ratepayers in those formerly suburban parishes would be called upon to contribute for the liquidation of debts they had no voice in incurring. He did not for a moment object to making the boundaries intelligible; but would say it must not be forgotten that all these modern divisions for highways, for petty sessions, and for Poor Law Unions had been made for some special reason, and that the object in view had been a just distribution of burdens. The right hon. Gentleman seemed to think it would be easy to alter the boundaries of counties; he trusted, however, that the House would not consent to disturb those boundaries.—[Mr. Stansfeld dissented.]—The right hon. Gentleman shook his head; but he had distinctly contemplated altering the boundaries of counties, and that he (Mr. Cross) trusted the country would not permit. The boundaries of counties were well understood, and any alteration in that respect would result in endless confusion. The proposed changes were suggested by an increase or decrease of population in particular parts, but population was very fluctuating. For instance, the discovery of a mine near any particular town would materially increase its size; but the increase might be only temporary. Why, then, should historical divisions be upset, for what might be a merely temporary condition of things? With regard to the proposal for establishing County Boards, the right hon. Gentleman would find no jealousy existing among the magistrates respecting the proposed method of administering the funds. The justices had existed many years, and as they did the work for which they were originally appointed well, other duties had been cast upon them. The administration of certain local funds arising within the limits of their jurisdiction had been left to them, and they had discharged the obligation as best they could; they were not to blame if they had not done this additional work as well as they did that for which they were originally appointed. He feared the same course was being adopted with regard to the Boards of Guardians. They were appointed for a specific purpose and did their work well; it seemed as if there was now a determination to break their backs as a reward for their diligence. Although there would be no jealousy on the part of the magistrates with reference to the proposals on that head, he felt convinced from what he had seen of the administration of local funds that administration by the county justices was far more economical than by Boards of Guardians or by municipal authorities. In conclusion, he would hope that we should not have anything like the system of centralization which was growing up at the Home Office and the Local Government Board, and remarked that if any of these measures tended to decentralization, he should rejoice at the appointment of this Committee.

Mr. B. SAMUELSON said, he differed from the hon. Gentleman who had just spoken, for he could not allow that a boundary once fixed would be the proper one for all time to come. If he had any fault to find with his right hon. Friend the President of the Local Government Board, it was, that his Motion did not include within its scope the boundaries of the municipal boroughs. He considered that if it was necessary, and if they wished to review the area of taxation, this should be effected completely and on a just and proper basis. In this there need be no insuperable difficulty. In the borough of Middlesborough, the area of the town had been considerably enlarged, and by negotiation and compromise, the taxation had been adjusted, in such a way that the area was increased without injustice being done to the outlying districts. But this should not involve, as it does at present, all the trouble and cost of a private Act of Parliament; there should be some public authority which could be appealed to, and which, after proper inquiry, should have power to enlarge the boundaries of municipal boroughs. To show how much this was required, he would, as an example, point to the municipal borough of Banbury, forming a part of the Parliamentary borough represented by himself. It contained 4,000 inhabitants, whereas the urban population was 12,000. Three police rates were levied in the town—one by the municipality and the others by two counties. It was the same with the poor rates, but the three districts were, for all purposes of residence and occupation, a single town. There were many instances of streets with one side in the municipal borough, and the other side in the county; others with the front-doors of houses in the borough, and the back-doors in the county. Such anomalies required to be rectified, and he thought the Committee for which the right hon. Gentleman had moved ought to have power to remedy them. He would, therefore, move the insertion after the word "parishes" of the word "municipal," so that the Committee might be empowered to consider the area of municipal boroughs.

Mr. RATHBONE, in seconding the Amendment, said, that a growing evil in the present day was that rich persons carrying on business within a borough resided outside the borough, and so withdrew themselves from the natural area of taxation to which they ought to be subject. That was a matter which must be considered soon, and ought to be considered now.

Amendment proposed, in line 3, after the word "Parishes," to insert the words "Municipal Boroughs."—(*Mr. Samuelson.*)

Question proposed, "That those words be there inserted."

Mr. SCLATER-BOOTH did not object, neither did he suppose that the House would be disposed to object to the appointment of the Committee which had been proposed by the right hon. Gentleman. The question of the rectification of boundaries was, no doubt, a very important question, but it was not one that was prominently incumbent on the House to initiate. He believed that the Government, in its Poor Law Department, possessed all the knowledge and information on the question which they required, and if the Committee were appointed, it was incumbent on the Government to point out what were the alterations and rectifications which they wished to suggest. So far as the rectification of Union boundaries was concerned, the subject had been in the hands of the Poor Law authorities for the last 30 years, and they had had the power to make rectifications, but they had neglected to do so; and, therefore, he thought it was rather hard upon that House at so late a period of the Session, and at the termination of a Parliament of long duration, to begin a process which required the new energy of a new Parliament. The difficulty in rectifying Union boundaries arose out of the registration, which applied to the Union, so that if any change were made in the Union the registration would no longer be available for the purposes of comparison. That, however, was not a fatal or insuperable objection. The present First Lord of the Admiralty would remember that when he was at the head of the Poor Law Board he had the opportunity of rectifying the boundaries of the Unions that lay between adjoining counties when the Gilbert Unions were broken up, but he did not use such opportunity. So far as regarded the boundaries of Unions, if anything could be done in the way suggested he thought it would be a great advantage, but he was not sanguine on the subject; and if all the controvertible points were referred to a Committee a long Session would be spent before the inquiry was concluded. With regard to the proposal to aid local expenditure out of the Votes of Parliament, the great bugbear was that it would interfere with local self-government. The sanitary legislation of last year, however, provided for that very assistance. The proposal made by his hon. Friend the Member for South Devon (Sir Massey Lopes) was to increase the contribution from the Votes of the House towards the police expenditure of counties and boroughs. Now, he contended that whether the contribution of the State towards that expenditure was to the extent of one-quarter or one-half, it would make no difference with regard to local administration, for the tendency of the local authorities as to police administration was towards economy, while the tendency of Government interference, as shown in the requisitions of the Government Inspector, was towards extravagance. The case of the lunatics was an analogous one, so far as any experience had been obtained. The lunatics might be said to cost 9*s.* a-head against a pauper expenditure of 4*s.* a-head; but would anyone affirm that the influence now exercised by the visiting justices in behalf of economy would be interfered with if Imperial aid were given to the county expenditure? Only yesterday, he received the Report of the Lunacy Commissioners upon the lunatic asylum in his county. They reported it to be in an admirable and satisfactory condition, but the apartment appointed for Divine service was scarcely adequate to the number capable of attending public worship; and so it was hoped the visiting justices would lose no time in building a new chapel in a convenient situation for the accommodation of the lunatics. That was the sort of pressure exercised by Government Inspectors upon the visiting justices; and so long as the Government gave these large powers to the Inspectors, it was quite reasonable that Parliament should assist in bearing the expenditure. The Government interference, in fact, was altogether in the direction of additional expenditure, while the distinct desire of the local authorities was for economy. He believed that if the Government, avoiding the difficulties which beset a plan for the re-organization of the whole of our local government, had been content to accede to the terms of his hon, Friend's Motion, they would accomplish all that was desired by the ratepayers, and save themselves and the country a great deal of embarrassment and delay.

Mr. W. H. SMITH said, that the right hon. Gentleman the President of the Local Government Board had made no mention of the metropolis, although it was included in the terms of his Motion. He wished to know, therefore, whether it was intended to include the metropolis in the reference to the Select

Committee. There were several different areas in the metropolis for different purposes. There was one area for the Metropolitan Local Management Act, another for the police, and a third for Poor Law administration, and although the metropolis had been frequently dealt with, in reference to Poor Law management, there had been no attempt to simplify its local administration. In fact, the only municipal government possessed by the metropolis was in an area of 709 acres, and containing about 100,000 of the population, out of about 3,250,000 souls. The metropolis, moreover, extended over Middlesex, and parts of Essex, Kent, and Surrey. Was it intended that the inconvenience arising from the overlapping of areas and of administration in the metropolis should be dealt with by the Committee, and were they to have the power of recommending some system of local administration? Some vestries and local boards had control over the streets, while others had not; and were they to be subordinate to the Metropolitan Board of Works or the City of London? These were questions that had been carefully avoided by successive Governments during the last 10 or 12 years, and he wished to know whether they were to be met by any special reference to the Committee?

Mr. GOLDNEY said, he was very glad to hear the question which had been put by the hon. Member for Westminster (Mr. W. H. Smith). When this Committee was first referred to, it was supposed that it was to supply further information for the purpose of carrying out more effectually the three Bills which the right hon. Gentleman had introduced, and not for the purpose now disclosed by the right hon. Gentleman. He would certainly vote against the Amendment of the hon. Member for Banbury. Boundary Commissioners were appointed under the Municipal Corporations Act; but the subject was found to be so difficult, that the Government of the day shirked the question. If the question of boundaries was to be tacked on to the subject of local taxation, it was not the present or even the succeeding Parliament that would be able to grapple with relief from local burdens. He was at a very great loss to understand what all the talk about small parishes, small number of houses, and small number of inhabitants had to do with the object for which the Committee was to be appointed, and he complained that the right hon. Gentleman had failed to bring forward any measure for reforming the rate. The Imperial taxation for the purposes of the property tax and house duty was based not upon the Union, but upon the old system of tithings, and these tithings often ran into two or three parishes, so that unless the word "tithing" was introduced into the remit of the Committee it would be impossible for the Committee to accomplish anything. He was not at all certain that any great benefit was to be obtained from defining the boundaries of parishes. The parish, as a parish, had nothing to do with the amount of rating, or the mode of expenditure, for they had to a great extent been superseded by the Unions. Every overseer was bound to take the Union Valuation List as the basis of the rate, and he had nothing to do but to obey the orders of the Board of Guardians. If they wanted a basis for a consolidated rate, they must take some area according to which Imperial taxation was levied—such as the parish, Union, or county. Areas, under Local Improvement Acts, were constantly shifting their boundaries; in many cases they extended simply as the area of lighting extended. In his opinion, collectors should be appointed for a Union instead of for each parish—a proceeding which led to increased expenditure. He hoped the House would vote against the Motion of the hon. Member for Banbury, because its adoption would delay the progress of the measure.

Mr. CORRANCE thought that they could scarcely hope to discuss the matter in a satisfactory manner at present; and, indeed, the speech of the right hon. Gentleman (Mr. Stansfeld) was singularly general, and he proposed to refer all matters of detail to a Select Committee. The scope of the present measure would be very large—indeed, immense; and one objection to it was this:—they had usually given to the various local authorities borrowing powers, which had been liberally exercised; and what a task the Committee would have to consider all these financial matters. He supported the proposal for forming County Boards. Such local Boards furnished the only guarantees they had against the centralizing power, which was so much increasing. The right hon. Gentleman's speech appeared to hint at the relief of local taxation by subsidies; but he (Mr. Corrance) deprecated that mode of relief, believing there were many better ways in which the relief might be given. At the same time, he was inclined to agree to the Government proposal, if it could be carried out; and he thought that they were quite right in asking for a Select Committee, for it would be a great boon if, by means of that Committee, the Government should be able to master the subject.

Mr. COLMAN supported the Amendment, and hoped the Government would in some way consider the question of municipal boundaries. It was true that the persons living outside towns had, in many cases, had no voice in the expenditure incurred therein, but that was also the case with many urban inhabitants, the expenditure having been forced upon them by external authority. He did not think that it would be so very difficult to settle taxation between county and borough.

Mr. ASSHETON thought the House would not consent to an alteration of the boundaries of counties, and yet that was one of the subjects proposed to be submitted to the Committee. The Union boundaries also had been carefully fixed by the Poor Law Commissioners with regard to the local demands of the country, and more harm than good was likely to result from tampering with them. If he had an opportunity he should certainly vote both against the Amendment and the Motion for the appointment of the Committee.

Colonel BARTTELOT thought the object of the right hon. Gentleman in moving for the Committee was to shelve the question of local taxation for a considerable time. [Mr. Stansfeld dissented.] At all events, the practical question was, whether the House meant to act in pursuance of the Resolution passed by a large majority last year, in favour of relieving local taxation of the burden now unjustly imposed upon it, or whether they intended to allow the Government to proceed with the Bills, which were to be read a second time on Monday next. He appealed to the hon. Baronet the Member for South Devon to know whether he was satisfied with the proposed measure. He (Colonel Barttelot) was opposed to it, particularly as they had not had placed before them the three Bills concerning local taxation, which the right hon. Gentleman had already introduced into that House. He wanted to know whether the Government were going to avoid the responsibility cast upon them by the vote to which he had referred, respecting a measure for the relief of local taxation. [Mr. Stansfeld stated that the Bills were out.] They were not out when he came down to the House, and, certainly, they had not yet been delivered to hon. Members. Local authorities were most economical in managing the funds entrusted to their care, and even the right hon. Gentleman the Chancellor of the Exchequer, whom many persons considered the most economical Member of the House, might learn a lesson in that respect from some of those county Members, whom he regarded with a compassion that was almost akin to contempt. He should be glad to divide, if he could, against the Motion for the appointment of the Committee.

Mr. HIBBERT repudiated the idea that his right hon. Friend's Motion was intended to shelve the question of local taxation. The Committee, he submitted, was a practical one for its purpose. He entirely agreed with his hon. and gallant Friend the Member for West Sussex (Colonel Barttelot), that the local authorities were far from being extravagant with the moneys they got from the State; indeed, he did not hesitate to say that if County Boards were established, they would not manage the county finances more economically than they were managed at the present time. But his right hon. Friend wished to establish County Boards, because he considered that they would be of great advantage in the case of licensing and other administrative questions. With regard to the suggestion of his hon. Friend the Member for East Suffolk (Mr. Corrance) the time had come when overseers were less needed than formerly, but to abolish the office would necessarily involve the expense of paid collectors. It had been suggested that the metropolis should be included in the inquiry. But the Government thought that the inquiry as now proposed would be sufficiently long, without including an additional 3,000,000 of people.

Mr. SCOURFIELD said he believed the desire for these County Boards had sprung up from the idea that the whole amount of the county rates was disposed of by the magistrates. But recent Returns had dissipated that notion, and had shown that out of the £2,000,000 of rates little more than £250,000 was at the magistrates' discretion. He confessed he did not feel any very keen interest in this matter, because, not being a very young man, he did not expect to see the end of the inquiry, or any legislation founded on it.

MR. STANSFELD assured the House that no efforts of his should be spared to bring the proceedings of the Committee to a successful and speedy issue.

MR. H. B. SAMUELSON expressed himself favourable to the extension of municipal boundaries, but at the same time, would advise the hon. Member for Banbury to withdraw his Motion.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Select Committee *appointed,* "to inquire and report whether the existing Areas and Boundaries of Parishes, Unions, and Counties may be so altered and adjusted as to prevent the inconvenience in matters of Local Administration and Taxation which now arises from the limited extent or subdivision of certain Parishes, or the overlapping of Parishes in two or more administrative areas, or from Parishes and Unions being situate in more than one County, with power to recommend whether any and, if so, what measures should be taken to give effect to their Report."

And, on May 22, Committee *nominated* as follows:—Mr. STANSFELD, Sir MICHAEL HICKS-BEACH, Mr. LOCKE KING, Mr. CROSS, Sir JOHN ST. AUBYN, Colonel BARTTELOT, Lord GEORGE CAVENDISH, Mr. GOLDNEY, Mr. CANDLISH, Mr. FLOYER, Mr. LEEMAN, Mr. RIDLEY, Mr. WOODS, Mr. WELBY, and Mr. HIBBERT:—Power to send for persons, papers, and records; Five to be the quorum.

CONVEYANCING (SCOTLAND) BILL.

(*Mr. Secretary Bruce, The Lord Advocate, Mr. Winterbotham*).

[BILL 108.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title) *agreed to.*

Clause 2 (Interpretation).

MR. GORDON objected to proceeding with a Bill of such serious importance at so late an hour. Most of the learned bodies of Scotland—the Writers to the Signet, the Solicitors of Dundee, and the Advocates of Aberdeen—had condemned the provisions of the Bill. He thought time should be given for the introduction of Amendments to give effect to the resolutions of those bodies.

THE LORD ADVOCATE said, he did not wish to press the measure forward at any untimely hour, but at the same time he thought some progress ought to be made. He was not prepared to adopt the Amendment of his hon. and learned Friend, nor to make any material alterations in the provisions of the Bill, which had had his attentive consideration.

MR. GORDON thereon moved to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress."—(*Mr. Gordon.*)

After a short discussion,

Question put.

The Committee *divided:* — Ayes 46; Noes 67: Majority 21.

Clause *agreed to.*

Clause 3 (Estates of superiority and property to be separate).

MR. GORDON, in rising to move the Amendment of which he had given Notice, said, he did not know why they should depart from the Report of the Law Commissioners on this matter. The Lord Advocate proposed to deal with this matter by abolishing all relation between superiors and feuars; while he (Mr. Gordon) proposed to give the superior certain rights under the statute, but he provided for the forfeiting of feus after two years' non-payment. This provision he thought a very essential one, not because the feus were ever forfeited, but the power to raise a declaration of forfeiture was useful to secure for the superior the payment of feu-duties. It was quite contrary to the Report of the Commissioners to take away the rights of superiors, and then to re-enact them. The hon. and learned Gentleman concluded by moving in page 2, line 39, after "Act," to leave out to "the" on page 3, line 3.

THE LORD ADVOCATE opposed the Amendment. The words proposed to be omitted simply provided that the holder of the land should have a real right with respect to the superior, and therefore gave to the real holder of the land an independence of tithe—and that was the very object of the Bill.

Amendment *negatived.*

MR. CRAUFURD moved an Amendment, of which the object was to secure the priority of the superior with respect to the heritable right.

Amendment *moved,* in page 3, line 1, after "shall," insert "as from the date of the creation of the feu, whether before or after the passing of this Act."—(*Mr. Craufurd*).

Amendment *agreed to.*

After short further consideration, House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

CRIMINAL LAW AMENDMENT ACT (1871) REPEAL BILL.

On Motion of Mr. MUNDELLA, Bill to repeal "The Criminal Law Amendment Act, 1871," *ordered* to be brought in by Mr. MUNDELLA, Mr. MORLEY, Mr. CARTER, and Mr. EUSTACE SMITH.

Bill *presented,* and read the first time. [Bill 161.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 13th May, 1873.

MINUTES.]—PUBLIC BILLS—*First Reading*—East India Loan * (109); Metropolitan Commons Supplemental * (110); Railways Provisional Certificate * (111).

Second Reading—Gretton Chapel Marriages Legalization * (77); Tramways Provisional Orders Confirmation * (92); University Tests (Dublin) (103).

Second Reading — Committee negatived — Third Reading—Customs and Inland Revenue * (106), and *passed.*

Select Committee—Elementary Education Provisional Order Confirmation (No. 1) * (68), *nominated.*

Committee—Railway and Canal Traffic (84-112).

Committee—*Report*—Gas and Water Provisional Orders * (87).

RAILWAY AND CANAL TRAFFIC BILL.

(*The Lord President.*)

(NO. 84.) COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 4 *agreed to.*

THE DUKE OF RICHMOND moved a new clause to follow Clause 4:—

"It shall not be lawful for any person appointed a Commissioner under this Act, so long as he shall hold office as such Commissioner, to own or be interested directly or indirectly in any stock, share, debenture stock, or debenture of any Railway or Canal Company in England; and if any such stock, share, debenture stock, or debenture, or any interest therein, shall come to or vest in such Commissioner by will or succession, he shall within one month after the same shall so come to or vest in him absolutely sell and dispose of the same or his interest therein."

THE MARQUESS OF RIPON said, he was willing to accept the Amendment of the noble Duke provided the time was limited to "three months" instead of "one."

THE DUKE OF RICHMOND assented.

Amendment made accordingly.

Clause, as amended, *agreed to.*

Clause 5 *agreed to.*

Clause 6 (Power for Commissioners to enable Companies to explain alleged violation of law).

THE DUKE OF RICHMOND said, he thought that in every case where a complaint was made the Commissioners should give the Company notice before permitting formal proceedings. With the view therefore of making the clause compulsory, he moved that the word "shall" be substituted for the words "may if they think fit."

Amendment *moved* to leave out ("may if they think fit") and insert ("shall.")

THE MARQUESS OF RIPON thought it was inexpedient to limit the discretion of the Commissioners in this manner, and could not accept the Amendment.

Amendment *negatived.*

Clause *agreed to.*

Clauses 7, 8, and 9 *agreed to.*

Clause 10 (Explanation of 17 & 18 Vict. c. 31. s. 2. as to through traffic).

THE DUKE OF RICHMOND said, the clause with its sub-sections as it stood would make exceptional laws in respect of docks and harbours held by Railway Companies. Why should this be? He thought such docks and harbours should be regulated by the laws applying to docks and harbours generally. He therefore begged to move the following as a new sub-section:—

(8.) "The Commissioners shall not have power to alter any rates lawfully made for the use of any dock, harbour, or pier belonging to a Railway Company when such rates are separate and distinct from the rates upon the railway."

THE MARQUESS OF RIPON said, he thought he might reply to the question of the noble Duke by asking why should a railway terminus of a dock or a harbour be exempt from the laws applying to every other railway terminus?

THE MARQUESS OF SALISBURY thought it was scarcely worth while to press the Amendment, because, after all, the sub-section which his noble

Friend proposed to qualify was not of very great importance. A Railway Company having a harbour or dock might lease it.

LORD HOUGHTON said, he did not think the clause was quite fair as it stood; but, as the noble Marquess had just observed, any Railway Company having a harbour or dock might evade this law by leasing it.

Amendment (by leave of the Committee) *withdrawn.*

Clause amended, and *agreed to.*

Clause 11 *agreed to.*

Clause 12 (Provision for complaints by public authority in certain cases).

THE DUKE OF RICHMOND said, he wished to call their Lordships' attention to the wide power of annoying Railway Companies the clause as it stood would confer on public bodies. The clause provided that complaint of any contravention of sec. 2 of the Act of 1854 might be made "by a municipal or other public Corporation, Local or Harbour Board, without proof that the complainants are aggrieved by the contravention." He thought such a power as this was very extraordinary, and might lead to great abuses. It seemed to him that the power ought, at the least, to be restricted to bodies having a *bonâ fide* interest in the cause of complaint. For this purpose he would move an Amendment to insert after the word "Board" the words "of the place at which the cause of complaint has arisen."

THE MARQUESS OF RIPON said, as the noble Duke had urged his objection to this clause in the discussion on the second reading, he had looked into the matter with the view of meeting his objection. He did not think the words now proposed by his noble Friend would be quite satisfactory. It would, he suggested, be better to introduce words conferring the power on the corporation or other bodies "of the place in which the cause of complaint had arisen," or "of any place injuriously affected by the cause of complaint."

LORD CAIRNS said, he thought it would not be well in a matter like this to give large powers to municipal corporations. Such bodies were anxious to extend their own influence, and this clause held out a means and encouragement for them to do so in a way which might press with undue severity on Railway Companies. He was for protecting the travelling public in all parts of the country; but he did not see why the usual course of applying to the Attorney General should not be adopted by bodies or individuals who had complaints to make against Railway Companies. Any person who thought he had a good ground for prosecution might now apply to the Attorney General for the use of his name. Such an application was accompanied by a guarantee for costs, and if the case was a fit one the application was granted as a matter of course.

THE MARQUESS OF RIPON said, he would accept the Amendment of the noble Duke for the present, and consider the matter further before the bringing up of the Report.

Amendment *agreed to.*

On Question, that the clause, as amended, stand part of the Bill,

LORD HOUGHTON moved to omit the clause, as one which could be made an improper use of for the undue annoyance of Railway Companies.

LORD ROMILLY concurred with his noble Friend in thinking the clause an objectionable one.

THE DUKE OF RICHMOND suggested that the noble Lord should not press his Amendment at present. He would have an opportunity of moving it on the Report, if the clause were not altered in the meantime in such a manner as to make it satisfactory.

THE MARQUESS OF SALISBURY thought the better course would be to strike out the clause; but after the promise of the Lord President, he thought it an inopportune moment to press such an Amendment.

Amendment (by leave of the Committee) *withdrawn.*

Clause, as amended, *agreed to.*

Clauses 13, 14, and 15 *agreed to.*

Clause 16 (Conveyance of mails).

THE DUKE OF RICHMOND said, the clause provided that—

> "Every railway company should convey by any train all such mails as might be tendered for conveyance by such train, whether such mails were under the charge of a guard appointed by the Postmaster General or not, and notwithstanding that no notice in writing requiring mails to be conveyed by such train had been

given to the company by the Postmaster General."

It appeared to him unfair to make the Railway Companies responsible for the custody and safe delivery of the mails if the Government did not take the trouble to make contracts or to communicate with them, or even when they forced a mail on them did not send a guard to take charge of it. He, therefore, moved after ("General") to insert—

("The railway company shall not be responsible for the safe custody or delivery of any mails so sent.")

THE MARQUESS OF RIPON objected to the Amendment.

THE MARQUESS OF SALISBURY said, he supposed the object to be to enable the Post Office to save the wretched salary of a guard now and then. The letters might be valuable; the loss of them might inflict great injury; and the Railway Company would have to pay heavy penalties because the Government was too stingy to pay for a guard. He was surprised at the way in which this House dealt with railway property.

Amendment *negatived.*

Clause *agreed to.*

Clauses 17 and 18 *agreed to.*

Clause 19 (Power to Commissioners to fix terminal charges).

THE DUKE OF RICHMOND said, it seemed to him that the clause had no business in the Bill at all, and it might occasion difficulty, because it would give the Commissioners concurrent jurisdiction with the Courts of Law in cases involving their decision on terminal charges, and might result in conflicting decisions by two differently constituted tribunals. He did not see how the jurisdiction of the Courts of Law was to be got rid of; and, as it was impolitic to have two Courts of concurrent jurisdiction, he hoped the noble Marquess would consent to the omission of the clause.

THE EARL OF BELMORE hoped the Amendment would not be pressed. The Amalgamation Committee, of which he was a Member, had assumed that the clause they were now discussing would become law, and they had formed some of their conclusions upon that supposition. It would, therefore, be very awkward if the clause should be struck out. He thought it would be easy to prevent any conflict of jurisdiction by introducing a few words into this Bill.

THE MARQUESS OF RIPON reminded the Committee that the clause was introduced into that Bill in the other House after a division, and was entirely in accordance with the recommendation of the Joint Committee of last year on this subject. He would remind the noble Duke that the Commissioners would have to determine many questions, such as through rates, which would involve the question of terminal charges.

LORD CAIRNS said, the effect of the clause would be to establish two concurrent jurisdictions, and we might have the Commissioners deciding one way and a Court of Law another. The Commissioners, moreover, had no power to enforce the payment of charges, which must be sued for in a Court. He thought there could be no difficulty in a Court and jury deciding what were reasonable charges. At any rate the clause could not be left as it at present stood.

EARL GREY said, there would be no difficulty in providing that the decisions of the Commissioners as to what were proper terminal charges should be accepted and enforced by Courts of Law.

THE LORD CHANCELLOR was under the impression that that would be the operation of the Bill as it stood; but saw no objection to introducing a provision to the effect of the noble Earl's suggestion.

THE MARQUESS OF SALISBURY said, that would not meet the case, because the Commissioners could not lay down broad rules applicable in all cases. There must be a distinct decision in each case of dispute.

THE DUKE OF RICHMOND said, he must leave it to their Lordships to decide whether the clause should stand part of the Bill.

On Question, Whether the said Clause shall stand part of the Bill? The Committee *divided:*—Contents 66; Not-Contents 50: Majority 16.

Clause *ordered* to stand part of the Bill.

Clauses 20 to 24 *agreed to,* with verbal Amendments.

Clause 25 (Orders of Commissioners).

THE DUKE OF RICHMOND proposed to make the clause compulsory, and would move, in page 11, line 3, to leave out "may also, if they think fit," and insert "shall." The effect of this

Amendment would be that the Commissioners at the instance of any party to the proceedings before them, and upon such security being given by the appellant as they might direct, must state a case in writing for the opinion of any Superior Court upon any question of law on which the Commissioners should differ.

An Amendment *moved*, to leave out ("may also, if they think fit,") and insert (" shall.")—(*The Duke of Richmond.*)

THE MARQUESS OF RIPON could not help thinking the effect of the Amendment proposed by the noble Duke would be where an individual trader appeared before the Commissioners to complain against a Railway Company that due facilities for the transmission of traffic were not given, the Company, which was seldom averse to litigation, would insist on an appeal to a Superior Court of Law, and the individual trader would have to contend against the almost unlimited resources of a powerful Company.

LORD CAIRNS said, he had little doubt that the Commission, as constituted, would, under this clause, grant an appeal when asked by the poor man and refuse it when asked by a Railway Company. If they were to give an appeal at all on a point of law it would be better to give it as a matter of right.

THE LORD CHANCELLOR was also of opinion that the matter had better not be left to the discretion of the Commissioners.

Motion *agreed to;* Amendment made.

Clause, as amended, *agreed to.*

Clauses 26 to 30 *agreed to.*

Clause 31 (Power by Order in Council to extend the duties of Commissioners) *struck out.*

Remaining clauses *agreed to.*

The Report of the Amendments to be received on *Friday* next, and Bill to be *printed*, as amended. (No. 112.)

UNIVERSITY TESTS (DUBLIN) BILL.

(*The Lord Cairns.*)

(NO. 103.) SECOND READING.

Order of the Day for the Second Reading, read.

LORD CAIRNS: My Lords, I ask your Lordships to give a second reading to the University Tests (Dublin) Bill. The Bill is an extremely short one, although the object of it is very important. This Bill follows exactly the precedent, and contains almost the exact words of the Act which passed some years ago for abolishing Religious Tests in the English Universities. Many of your Lordships, and I myself among the number, were opposed to that measure; but Parliament having passed it, it is now the opinion of the Governing Body of Dublin University that there is no reason why a similar measure should not be applied to their University. In fact, there is a still stronger reason for applying a measure of the kind to Dublin University, because in this country the Church of England remains the Established Church, whereas in Ireland the Church, by what is called the wisdom of Parliament, has been disestablished. The object of the Bill is, as I have said, to abolish Religious Tests in the University of Dublin. The history of the question is a very large one, and the field of observation very extensive; but I shall not venture in any shape upon it —my object is not to raise debate, but to present a Bill which, as far as I can learn, will not be opposed by anyone in this House, as, indeed, it was almost unopposed in the other House of Parliament. I will add only that if the Bill is to become law, it is of importance that it should pass without delay, because the Fellowship Examination in the University of Dublin is at hand. I beg to move, therefore, that your Lordships give a second reading to this Bill.

Moved, "That the Bill be now read 2ª."—(*The Lord Cairns.*)

THE EARL OF DENBIGH said, he would feel himself in a difficulty if this question should come to a vote; for, while, on the one hand, as a Catholic, he could not but rejoice at the abolition of tests which were objectionable and blasphemous, yet, on the other, he could not give a vote which would appear to sanction mixed University education in Ireland. He trusted this was not a final measure, but if it was he (the Earl of Denbigh) wished to declare in his own name and in that of his co-religionists that he could not accept it as even an instalment of that justice which Ireland had a right to expect—that of being able to educate her Catholic youth in the principles of their faith. Her

Majesty's Government had professed a desire to do justice to Ireland and to remedy the disabilities under which she had been unjustly suffering in the matter of education; but the only boon they offered her was what she resolutely refused to accept—mixed education. The assembled Catholic Prelates of Ireland not long ago drew up a formal document in which, condemning mixed education as a principle, they forbade their flocks from patronizing the Queen's Colleges instituted for that end, and he (the Earl of Denbigh), in a recent interview with the Pope, was told by His Holiness that he should be put into a position of exceeding difficulty if the English Government insisted on mixed education, as he had always systematically opposed it, and would continue to do so. He (the Earl of Denbigh) therefore trusted that the feelings of the Irish would be duly considered in this matter, and that means would be given them for giving an exclusively Catholic education to such of their youths as required it.

EARL GREY: I agree with the noble and learned Lord who moved the second reading of the Bill that we ought to pass it, but I cannot concur with him that it would be right to do so without a fuller consideration, than he seemed to think necessary, of the circumstances under which it is brought before us, and of the effect which its passing in its present shape will have upon the state not only of Ireland, but of the United Kingdom. These circumstances, and the probable consequences of the measure, seem to me to require our most serious attention, and I am confirmed in that opinion by what has been said by the noble Earl who has just sat down, who has declared in the name of the Irish Roman Catholics that this will not be considered by them as even an instalment of that justice which they demand. This statement, made by the noble Earl in behalf of the members of the Church to which he belongs, is of very grave importance. I must remind your Lordships that when the subject to which this Bill relates was a few weeks ago brought under the consideration of the other House of Parliament by the Prime Minister, he declared that the position of the Roman Catholics of Ireland with respect to University education was "miserably bad"—he added "he had almost said scandalous." Now, my Lords, it has just been declared by the noble Earl, and it is indeed admitted that this "miserably bad," almost "scandalous" state of things will not be in the slightest degree improved in the opinion of those who suffer from it, by the passing of the Bill before us; so that while the grievance has been admitted by the highest authority, all redress for it is indefinitely postponed. At a time when the movement for "Home Rule," as it is called, is daily assuming more serious proportions, it is no light matter that the people of Ireland should be told that although it is admitted they are suffering a grievous wrong, the Imperial Parliament either cannot or will not undertake to give them relief. Such a state of things cannot continue without risk if not to the stability of the Empire, at all events to its peace and welfare, and I am persuaded that the more the danger is considered by your Lordships the more serious it will appear to you. But if we recognize the danger, it follows that it is the duty of Parliament to lose no time in taking steps for its removal, and the first step of all which should be taken is to ascertain clearly how we have been brought into this dangerous position. For this reason, though the noble and learned Lord thought it inconvenient to raise so large a question, I feel constrained to offer to your Lordships some remarks on the history of this Bill, and on the circumstances under which it is brought before us. For many years the Roman Catholics of Ireland have complained of grievous injustice being done to them in the matter of University education. They have complained that while University education is provided for persons of other creeds, there is none available for members of their own Church in any institution endowed by the State. This is what they have for many years complained of, insisting that no remedy for the grievance would be sufficient short of the endowment of a University for Roman Catholics, in which they might receive education under the control and superintendence of their own Church. In this state of things two lines of conduct were open to Her Majesty's Ministers. They might have denied the justice of the complaint of the Roman Catholics, and might have contended that if the Universities were open on perfectly equal terms to persons of all religions, no preference being given to any, there would be no grievance that could be fairly complained of; or else they might have admitted the reality of the grievance, and have taken measures to redress it. Either of these courses would have been perfectly straight-forward, and there is much to be said in favour of each. But, unfortunately, the Government did not think fit to take either the one or the other, and for two or three years, by a series of what I cannot help describing as manœuvres, they contrived to evade the expression of any definite views on the subject. But while they avoided any distinct explanation of their intentions, they so acted as to lead to the belief that the Roman Catholics would obtain what they desired. On more than one occasion when Mr. Fawcett's Bill for opening the University of Dublin was brought forward, Her Majesty's Ministers resisted it as being insufficient to remedy the grievance of the Roman Catholics, and declared that in due time they would themselves deal with the question. Such language could not fail to excite expectations on the part of the Roman Catholics that the redress of their grievance, as they understood it, would ultimately be proposed by the Government. The time at length arrived when the intentions of Ministers could no longer be shrouded in obscurity, they were compelled to declare them, and early in the present Session they introduced their Bill. But when that Bill came to be understood it was found that instead of giving to the Roman Catholics the redress they had looked for, it was in fact a plan for the extension of mixed education—the thing to which of all others they objected; nor were they in the slightest degree reconciled to the Bill by the provisions which were proposed with that view, and which, in the eyes of those who were not Roman Catholics, would have tended to injure the existing institutions for University education. No wonder, therefore, that the measure failed, and was regarded by the Roman Catholics as a mockery of their expectations, while it was disapproved by Protestants. It had no doubt been very convenient for the Government to avoid as long as possible taking a decided line in one direction or the other on this much disputed question; the tactics may have been very clever by which for two or three Sessions, Ministers staved off the evil day when they must risk a quarrel with one wing or the other of their Parliamentary forces; but the result showed that it would probably have been better in the end, even for themselves, if they had been less clever and more straight-forward. I believe this would have been better for themselves; unquestionably it would have been better for the public interest, which they had no right to sacrifice to party convenience, by taking a course which has of necessity had the effect of aggravating the difficulties of a question only too difficult already. Perhaps I may be told that I am making an unjust charge against the Government—that their language in former years did not warrant the expectations entertained by the Roman Catholics — and that the measure brought forward in the present Session which they rejected, was really a fair one, and failed only from the unreasonableness of their pretensions. I could understand this plea if there had been any doubt for many years as to the real nature of the grievance complained of by the Roman Catholics, and as to the remedy for it they demanded, but there was none. There had never been any secret in the matter. The grievance complained of was that while there were Universities for those professing all other religions in Ireland, there was none available for Roman Catholics, and it was proclaimed by the Pope, by the assembled Prelates of Ireland, and by every authority entitled to speak on behalf of the Roman Catholics, that what they demanded was a University for their Church, which must be under strict ecclesiastical control. Nothing less would satisfy them; no scheme for mixed education, however carefully guarded, would do; there must be a Roman Catholic University under the complete control of the clergy—the equality for which they contended could, they said, only be given in one of two ways, either by putting an end to the endowment of higher education in Ireland altogether, or else by giving an endowment for a Roman Catholic University. It was well known to all the world that this was what was demanded by the Roman Catholics; it was especially well known to Mr. Gladstone, for he had himself quoted in the House of Commons in 1868 the declaration of the Irish Prelates that no University not under strict ecclesiastical control could be accepted by the Roman Catholics. He ought, therefore, to have known both what expectations would be raised by his language in opposing Mr. Fawcett's Bill in former years, and also how completely those expectations would be disappointed by the Bill he lately brought forward. I must add, that I cannot admit that the Roman Catholics are so unreasonable as we are told in claiming for themselves an endowed College or University in which they may receive instruction according to the views of their own Church. You admit that there ought to be equality in the advantages given to all religious persuasions, but you assert that this equality is provided for when all tests are abolished in Collegiate institutions, and no advantages are allowed to be given to those who belong to one communion rather than another. This is no doubt a system of nominal equality, but it is only nominal. We all know that practically Protestants of various denominations, and even non-Christians, can freely avail themselves of the teaching of open Colleges, but that the Roman Catholics are unable to do so without exposing themselves to the censures of their Church. Nor can we fairly condemn the Roman Catholic Church for insisting as it does upon having the control of the education of the members of its own communion. There is no man who more sincerely approves of mixed education than myself—I believe it to be the best system, I wish it could be extended, and I am convinced that there would be no real difficulty in carrying it on, if there were a proper amount of true Christian charity in all denominations of professing Christians. But I am unable to deny it to be true, as the Roman Catholics assert, that experience has shown that to educate Roman Catholic youths with members of other religions is not favourable to their continuing in after life steady adherents of their own Church. This is affirmed, and as a matter of fact I believe it cannot be denied—indeed, as a Protestant, I should be surprised if it were otherwise. With other Protestants I hold that the tenets of the Roman Catholic Church are erroneous on points of great importance, therefore if young men are brought up where conflicting views may be presented to their notice, where the arguments on both sides can be laid before them, and they are enabled to form their own judgment, I should naturally expect—having full confidence in the power of truth—that a large proportion of the Roman Catholics so educated would cease to belong to the Roman Catholic Church. The Roman Catholics do not, of course, accept this explanation of the fact, but they do affirm, and I think with truth, that mixed education under Professors of a different faith is not favourable to the continued fidelity of young Roman Catholics to their own Church. This being the case, can we fairly complain of the Roman Catholic clergy because they say "such an education leads to consequences we believe to be most pernicious to the Members of our Church, and therefore we will not be parties to the mixed system." I do not think this position an unreasonable one, and therefore I consider that the Roman Catholics are fairly entitled to ask that in revising the system of collegiate education in Ireland provision should be made for a Roman Catholic institution, unless, indeed, you are prepared to take the only other course by which true religious equality can be established, and declare that for the future there shall be no endowed Collegiate institutions at all in Ireland. But this is impossible. When we consider what Trinity College, Dublin, has done for Ireland, and how many distinguished men have been turned out from its walls to serve their country in various careers, I feel that no one would listen for a moment to a proposal of such outrageous barbarism, as one for the destruction of so useful and so flourishing an institution. I hope that Trinity College, under the operation of the Bill before us, may rise to yet increased usefulness, and prosper more than ever, and looking for this I do not see how you can with justice refuse to the Roman Catholics what they ask—an endowment for an institution where they also may enjoy similar advantages of high education to those which are bestowed on their Protestant countrymen. I know that it has been urged that this ought not to be done, because it would tend to bind the intellect of Ireland as it were in chains, and to bring up the Irish youth under the yoke of the priesthood. This seems to me a fear little worthy of those who have confidence in the power of truth and in their own opinions. I am persuaded that if young men receive a really good education, if they are taught the facts of history, made to study the writings of great authors, and to read the works of the philosophers and poets of ancient and modern times, they can never be long compelled to bow the minds so cultivated under the yoke of slavish obedience to either lay or priestly instructors, or to accept blindly the views inculcated upon them. If a high standard of knowledge is given to the pupils of a College—ever so strictly Roman Catholic—we may confidently expect them to come out into the world prepared to play their part in it with advantage to themselves and to the community. A Roman Catholic University might, therefore—and I hope it would—send out very good Roman Catholics from its walls; but I have no fear that they would generally prove either bigots or bad subjects, as I trust to the influence of high education in liberalizing their minds. No doubt, this expectation would only be fulfilled if the education given to them were really good; but it must be good. If a Roman Catholic University should be established, it will have to meet the competition of other institutions of the same kind. Trinity College and the Queen's Colleges will remain open for young men not satisfied with Roman Catholic teaching, and if the teaching of the Roman Catholic institution should fall below their standard, it will be impossible for any amount of clerical interference to prevent their being resorted to. We know that at this moment, in spite of all attempts to prevent it, a certain number of young Roman Catholics are sent to them. If the education of a Roman Catholic College should prove to be of an inferior kind, and if, as a necessary consequence, the young men trained in it were found in the race of life to labour under a disadvantage, as compared to their competitors educated elsewhere, Roman Catholic parents would not be prevented by their clergy from sending their sons to those institutions, in which they would be best fitted to win distinction and advancement in their subsequent career. A College or University, therefore, though under strictly clerical management, would be compelled to adopt a system of effective and liberal instruction, because, otherwise, it would not be able to obtain a supply of pupils. This anticipation of what would be the effect of endowing a Roman Catholic University is confirmed by the experience of another country. I am informed on good authority that, in Belgium, there is a University strictly under clerical management for the Roman Catholics; but in the same country there are other Universities under lay management, free to all religions, and it is found that the competition with these has so much effect on the Roman Catholic institution, that its authorities find it necessary to secure the services of the ablest Professors and instructors they can obtain, and that the young men taught in it do not, in general, leave it with the narrow and contracted opinions caused by imperfect training. I do not see why what has succeeded in Belgium should fail in Ireland, and I am persuaded that it would be better for the Protestants, as well as for the Roman Catholics, that they should have their separate places of instruction, in which each party should be free to give full effect to its own views with the stimulus of open and honourable competition with the other, instead of being forced into an unnatural union which could only be maintained by mutilating and crippling the education to be given in the joint University, and by adopting the monstrous proposition of excluding from the circle of the teaching of the National University some of the most important branches of human knowledge. I am, therefore, of opinion that to establish a Roman Catholic University would be what is best for all parties, as well as what the Roman Catholics have a right to ask; and if this Bill passes, in justice to them, it ought to be speedily followed by another for the endowment of a Roman Catholic University. There would be no difficulty in providing funds for the purpose. Thanks to the wise interference of this House, the surplus property of the former Church establishment has not been thrown away with reckless improvidence as was proposed. Instead of having been lavished on useless objects for the mere sake of getting rid of a bone of contention, it has been preserved by your Lordships' Amendment of the Church Bill, and now remains at the disposal of Parliament for any purpose of utility to Ireland. I can conceive no purpose to which a portion of this large fund could be more properly applied than that of creating a new University for those of the Irish youth who are prevented by their religious scruples from availing themselves of the existing Collegiate institutions, and at the same time protecting these institutions from the danger of being damaged or ruined by measures adopted in the vain hope of forcing on united education against the will of the Roman Catholics. But, my Lords, we have been told that it is useless to discuss the advantages of this arrangement, because it involves the principle of what has been called "concurrent endowment," and concurrent endowment, whether applied to religious instruction for the people at large, or to religious instruction as connected with the education of the young, is altogether inadmissible. I deny that a mode of settling this difficult question, which seems to offer such great advantages as that which I have described, ought to be thus summarily rejected. Prove that it would be improper in itself, or inexpedient to endow a Roman Catholic University, while maintaining the existing endowments for the education of young men of other churches, and of such Roman Catholics as may choose to take advantage of them, and the rejection of the scheme must command our assent; but I cannot consent to abandon it because I am told it is a foregone conclusion that "concurrent endowment" cannot be allowed. I have been told that when the Church Bill was passed "concurrent endowment" was finally condemned. I answer that this is not true. In the proceedings on the Irish Church Bill, there was no discussion upon University education. That subject was distinctly reserved for future consideration. But I would say further that even if this question had been ever so distinctly decided at that time, the decision — like every other decision of the Legislature—is open to reconsideration. By the Church Act you repealed, without scruple, some of the most important clauses of the Acts of Union, passed by the British and Irish Parliaments, and it would be absurd to pretend that the Act which dealt thus with these important statutes is not; in its turn, liable to be altered, if, in the judgment of Parliament, justice and policy should require it. This question, therefore, of endowing, or not endowing a Roman Catholic University is not to be disposed of by a reference to anything heretofore decided, but is to be determined upon its own merits. In trying to judge it upon that ground, let me, in the first place, remark that it is a striking fact that two Members of the present Cabinet have publicly declared their opinion to be in favour of that settlement which I have ventured to recommend. And those two Members of the Cabinet are those who have the best means of judging what are the wishes of the people, and what would be best for Ireland, since one of them is now Secretary for Ireland, and the other formerly held that post. If we proceed to inquire what arguments on the merits of the question have been brought forward against the endowment of a Roman Catholic University, we shall find them to be singularly scanty. I can discover only two; first, that such a measure could not be carried, and next that Her Majesty's present Ministers are pledged against it. As to the last argument, it is one which it is needless to discuss, since it is obvious that any rash pledges that may have been given by Her Majesty's Ministers cannot be binding on Parliament. But I must remark that, after having described in such strong language the grievous wrong now done to the Roman Catholic inhabitants of Ireland in the matter of University education, the Prime Minister could not be justified in declining on account of his personal pledges, to be a party to the only measure of redress for that wrong yet suggested. I cannot conceive a greater dereliction of public duty than this would involve, and I am convinced Mr. Gladstone would not be guilty of it; I feel the more confidence that he would not, because he has already had so much practice in re-considering the opinions to which he had most strongly pledged himself, when he has found that justice and policy required it. I come now to the other argument that has been advanced againt the proposal—that it is impossible it should be carried. I have seen no proof of this impossibility. Opinion in Ireland is certainly not opposed to it. The Roman Catholics, who form so large a majority of the population, are earnestly desirous of it, and I believe that a large number of the Protestants of Ireland would also greatly prefer having a Roman Catholic University endowed, to having their own noble institution mutilated and injured in the vain hope of making it acceptable to the Roman Catholics. The obstacle to this proposal is not in Ireland. We all know that the real obstacle to it lies in the fact that there are in this country so many persons of strong anti-Catholic opinions, that neither the party now in power, nor their opponents, have hitherto been ready to incur the unpopularity of proposing such a measure. But, my Lords, if a measure which would be in accordance with the wishes of the great body of the people of Ireland, which we know when discussed in private has the approval of a large proportion of those men in this country who are really able to form an independent judgment on the question—if I say, a measure of this kind is not to be proposed because it is unpopular with the Dissenters of England, and with a great majority, both of Dissenters and of Presbyterians of the Established Church, in Scotland, our position is most serious. My Lords, I have hitherto been firmly convinced that the Irish are making a great mistake in asking for what is called "Home Rule," —that they would suffer even more than we should do—though it would be a grievous misfortune to us also—if their views were unfortunately to prevail, and if the policy of maintaining the Legislative Union between the three divisions of the United Kingdom were even in the slightest degree departed from. But if anything could shake this conviction of my mind and lead me to doubt whether the Irish people are indeed so entirely mistaken as I have hitherto considered them in seeking for a separate Legislature, it would be to find that a question of this kind, so deeply affecting the welfare of Ireland, is to be determined in the Imperial Parliament not by a wise and deliberate consideration of what is most for the good of Ireland and of the Empire, but by the religious prejudices, or, if you will, the religious opinions of certain classes of the people of England and of Scotland. It will be little to our credit, and it will be a great peril to the stability of the Empire if we allow the policy of the Imperial Parliament towards Ireland to be thus influenced by anti-Catholic feeling on this side of the channel. This feeling has exercised too much power already, not only over one but over all parties in the Imperial Parliament, and the deplorable result is to be seen in the present unsatisfactory state of Ireland. I say its unsatisfactory state, for in spite of the Ministerial boasts, we have heard more than once as to the great things the present Government has achieved for Ireland, and the happy prospect for the future their measures have opened, I must declare that having now for a very long period anxiously watched events in Ireland, in my judgment that country has never before been in a state to raise such serious apprehensions as are justified by its present condition. Neither during the great Repeal agitation, nor in that which preceded the concession of the Catholic claims in 1829, when the Duke of Wellington apprehended immediate civil war, was the prospect for the future so gloomy as at present. I am aware that there are gratifying signs of increasing wealth in Ireland; while open acts of violence and displays of sedition have to a great extent been put down. But I know that in order to maintain this outward quiet it has been necessary to arm the Government with extraordinary powers, both against acts of violence and against the promotion of sedition by the Press, while I believe that dispensing with these severe laws is felt by all to be impossible. I know that through the length and breadth of the land there are every day stronger symptoms of a rooted feeling of opposition to the Imperial Government. Observing these things, I concur in the opinion expressed by Mr. Gladstone in 1868—that the necessity of maintaining severe laws to preserve the peace, and what he called "the juxta-position of economical and social progress with the increased and increasing estrangement and alienation of the spirit" of the people, lead to the conclusion that there must be something deeply wrong in the state of Ireland. The symptoms of estrangement and alienation to which he referred, are now worse than when he spoke five years ago. When he made that speech the then Secretary for Ireland was able to say that juries did their duty. Can the same be said at present? The movement for Home Rule has been extended and become better organized. Fenianism is indeed, at least apparently crushed; and some derive great encouragement from this fact, believing Fenianism to be more dangerous than the Home Rule movement. My opinion is quite the reverse. The wild attempts of the Fenians to overturn the existing Government were very inconvenient and mischievous, but could scarcely be regarded as dangerous since they had not the remotest chance of success, and the Fenians by appealing to force enabled an overwhelming force to be used to put them down. It is much otherwise with the present movement; against that movement mere force is of no avail, you cannot put it down by force yet it threatens to render the constitutional Government of Ireland as part of the United Kingdom impracticable. For look, my Lords, what is the state of things;—not a few of the Irish Members are already pledged to Home Rule, every fresh election affords a new opportunity for attempts to increase their number, and these attempts have on the whole met with no small success. We have, too, this significant fact, that to hold office under a Ministry said to have done such great things for Ireland, seems fatal to the hopes of success of any candidate for an Irish seat, and thus we have at this moment the very unusual and very inconvenient state of things, of the Government being without the assistance of an Irish Law Officer in the House of Commons. And we are told by the Home Rule party that they reckon upon a great accession of strength whenever a dissolution takes place. They boast that they will have a majority of the whole Irish Representatives—some assert that it will be much more than a bare majority. I do not possess any means of testing the accuracy of their calculation, but I am afraid there is some basis for it, and it requires but little knowledge of constitutional Government to perceive that it will become impossible in Ireland if these anticipations should be realized. What may be the issue it is impossible even to guess. It is certain that this country will not tolerate the breaking up of the Empire, and will put forth her utmost power to prevent it. Yet it is no less clear that the constitutional Government of Ireland as part of the United Kingdom may be rendered impracticable. since constitutional Government requires, not merely submission to its authority by the people, but their active co-operation; and a representative legislature which does not command the confidence and willing obedience of the people in any large division of the kingdom is in a false position. Unfortunately the Imperial Parliament is fast sinking into that position in Ireland. In this state of affairs it is idle to talk of the great things done for Ireland. As a tree is to be judged by its fruits, so must the policy of a Minister be judged by its results, and by its results that of Her Majesty's present Government towards Ireland must be condemned. Nor, is this surprising, on the contrary it is what I have from the first expected from the course they have pursued. I have never denied that there has been much real good in their measures, but the good has been tainted by a mixture of evil both in the measures themselves and in the mode of carrying them, which has been fatal to their success. This is eminently true of their great measure relating to the Church. I am not the person to disapprove of the determination to redress the monstrous injustice of keeping up a wealthy Church for the exclusive benefit of a fraction of the people. Against this grievance I have never ceased to raise my voice from the time, now almost 40 years ago, when Mr. Gladstone was one of the foremost among those who denounced as sacrilege and defeated even a very modest attempt to withdraw from the Irish Church a small portion of its property for the general benefit of the people. But though the main object of the Irish Church Act of 1869 was right, the nature of the arrangement it provided for, and the manner in which it was carried, were alike calculated to ensure its failure as a measure to restore peace and contentment in Ireland. The overthrow of the Establishment was first put forward by the party that carried it, while still in opposition, and the language used by them both then and subsequently when defending themselves as Ministers for bringing forward so sweeping a scheme upon a subject they had so lately refused to deal with, naturally produced among the Irish people the impression that they were indebted for the measure not to a sense of justice and a desire to do what was best for Ireland, but partly to the effects of intimidation, and more to the desire of a party to use this question as an instrument for the attainment and retention of power. What was worse, when they came to examine the Bill itself, the Irish Roman Catholics could not fail to observe that the policy of making some public provision for the

Roman Catholic Church in Ireland, which had been approved by most of the wisest statesmen of a past generation, was now utterly rejected. Extreme anxiety not to be suspected of being in favour of such a policy, or of any leaning to a "levelling up," or "concurrent endowment," was displayed by the leaders of the great rival parties. It was asserted with emphasis to be the main principle of the Bill, that under no pretence was even the smallest portion of public property, though derived from Irish soil, to be applied to the teaching of religion in any form to the Irish people, and that, therefore, even the granting of glebes to the clergy of different persuasions out of the property of the Church must be refused. This rule was to be enforced with the utmost strictness in Ireland, though in England and in Scotland the instruction of the people in religion was still treated as deserving all the assistance it could derive from large endowments. These things could not fail to be observed, and the Irish are far too sharp-sighted not to have clearly understood what they meant—that the real reason why no part of the property of the Irish Church was to be allowed to go for the religious instruction of the people, was that it could only be applied to this purpose through the Roman Catholic clergy. They saw, therefore, that even in this, which professed to be a great measure of justice to the Irish people, you were in truth acting in a new form on the old assumption, that Roman Catholics are not to be treated like other Christians, that they are not to be regarded as the equals in all respects of their Protestant fellow subjects, and that their religion is to be considered as placed under a permanent ban. There is no difficulty therefore in understanding why this measure has failed to produce the fruits of peace and goodwill predicted from it. It is indeed true that for reasons easily to be understood, the Irish did not in words express those feelings with respect to the Church Act which I believe them to have entertained; but those who have carefully watched what has occurred can hardly mistake the signs that, though they have held their peace on the subject, they have felt very deeply upon it. My Lords, I have referred to the manner in which the question of the Irish Church was dealt with, because I am convinced that the same mistake you made in that case you are now repeating upon this subject of University education. You are now, with reference to the last question, again acting with even less disguise than before, upon the principle that the Imperial Parliament either cannot or will not deal with Roman Catholics in the same manner as with Protestants. This is the light in which what you are now doing as to the University will be regarded in Ireland, and this impression can only be removed by your consenting to pass very soon another Bill as a supplement to that before us, for the purpose of granting to the Roman Catholics what, under the present circumstances of Ireland, they have a right to ask. This is a subject which Her Majesty's Government ought most seriously to consider, as it has an importance far beyond that which it possesses, merely as it affects education. It is as an indication of the spirit in which the Imperial Government intends to act towards them that its course will be watched by the Irish people. Let Her Majesty's Ministers rest assured that all attempts to establish a really good understanding and cordial affection between the people of Ireland and of England will be in vain, until they make up their minds to deal frankly and boldly with anti-Catholic prejudices on this side of the channel, and to tell those who hold them that they must consent to forego them, or they cannot hope to close the long and miserable chapter of Irish hostility to British rule. May I venture to add that this is a matter which requires also the most serious consideration of the great Conservative party, I trust that they will not be induced by any view to party interests to say or do anything which may tend to encourage the pernicious feeling of religious animosity unfortunately to be found among some of our fellow countrymen, or to increase the difficulties of the Government if it should be disposed to adopt a more fair and just policy towards the Irish people. In the speech he made when introducing his rejected Bill, Mr. Gladstone insisted in eloquent language on the necessity of extending the full benefit of civil equality to our Roman Catholic countrymen, and declared it to be neither politic nor generous to withhold it from them whatever we may think of the ecclesiastical influence of their Church. I wish this view of the subject had been better acted upon in the measure that was proposed, for till the policy, so well described and recommended in words, is applied in practice heartily and without reserve, all attempts at conciliation will be fruitless. Above all weak concessions to unreasonable demands, such, for instance, as the release of the Fenian prisoners, will only serve to bring the authority of the Government into contempt. What is wanted is that it should be proved both by their language and by their acts, that in what relates to Ireland, British statemen will not truckle to religious prejudices and ignorance in this country, and that the equality of all advantages which we profess to offer to the Roman Catholics is really and truly given to them. I have to apologize for having detained your Lordships by entering so fully into this subject, but I regard it as one of such extreme importance, and so deeply affecting the most vital interests of the country, that I have thought it my duty to avail myself of the opportunity afforded by the second reading of this Bill to lay before you the opinions I entertain.

Earl GRANVILLE: My Lords, I must begin by expressing my appreciation of the manner in which the noble and learned Lord the Chancellor of Trinity College (Lord Cairns) moved the second reading of this Bill and left it to the tender mercies of the House. I quite agree that the occasion was one on which it was open to the noble Earl (Earl Grey) to discuss, if he thought fit, the whole question of Irish Education. I have listened with great attention to his long and interesting speech, embodying views many of which I have heard from him before. I do not think it is for me now to express any abstract views on the questions the noble Earl has raised; but I must say a word or two with reference to the pointed attack he has made on Her Majesty's Government. I do not think that they are open to the perfectly novel charge he has brought against them—that they have been dilatory in dealing with, what appeared to them, the grievances of the Irish people. It was under a most conscientious feeling of duty, with perfect cognizance of the difficulties of the task, but in the full belief that there were grievances with regard to University education in Ireland, that we attempted to pass what we thought a just and fair measure, although we were well aware that divergency of feeling, particularly in Ireland, but in this country also, upon the subject, made the object one difficult to accomplish. That Bill is now gone, and therefore there is no practical use in discussing it; but this I may say—that measure when first announced was met by an almost universal admission of its fairness and justice. We are ready to give our consent to this Bill, though dealing with only a portion of the subject. With regard to a great deal which I have heard from the noble Earl, I must entirely decline to follow him. I decline to go into the question of the Disestablishment of the Irish Church, and the way in which it was effected; but with regard to the present and future state of Ireland, I must be allowed to say the noble Earl appears to me to entertain very dark and gloomy views. I think, my Lords, those views are unfounded in fact, as regards the present; and though it may be much more difficult to speak of the future, I do hope they are also unfounded in regard to the future. With great grievances abolished by the united Legislature, with peace and wealth among the upper and middle classes, with increasing wages among the lower class, with liberty and at the same time order maintained, I believe that we may hope to see much brighter days, in the future, for Ireland than we have yet seen. I say the present state of Ireland is not unsatisfactory; and, with regard to the measures of Her Majesty's Government, even if they had been much more unsatisfactory, where endeavours were made to remedy the unjust legislation of centuries I was surprised to hear their immediate effects brought forward as a test of their beneficial operation. I am happy, I repeat, to entertain much more cheerful views of the state of Ireland than the noble Earl has expressed; and I altogether repudiate the attack he has made so unnecessarily on Her Majesty's Government.

Lord ORANMORE and BROWNE said, he must protest against the statement put forward by the noble Earl (Earl Grey) that mixed education in Ireland had been a failure—on the contrary, he contended that mixed education had been to a great extent a success in Ireland, and would have succeeded perfectly had it not been tampered with for party purposes. When the noble Earl stated that justice and equality were not granted to the Roman Catholics, the answer was simple. The Roman Catholic clergy demanded that the education of the country should be placed in their hands. Since the Reformation education at the public expense had not been monopolized by ecclesiastics, and the people of this country would never consent to its being done now. It was absurd to expect that the people of this country would ignore the fact that whenever that policy had been attempted in any other country the result had invariably been so prejudicial to order and tranquillity that the State had been obliged to interfere and take it from their hands. The people of this country must be blind indeed to these results if they now commenced to endow Roman Catholicism at the very moment that they were taking away their endowments from all other communities. The noble Earl (the Earl of Denbigh) had brought the House a direct message from the Pope as to what system of education it should sanction. It was now a long time since the British Parliament had been favoured with the commands of His Holiness, and he hardly thought that it had so far given up its independence as to be bound by them.

Motion *agreed to;* Bill read 2ª accordingly and *committed* to a Committee of the Whole House on *Thursday* next.

PALACE OF WESTMINSTER—THE FRESCOES IN THE ROYAL GALLERY· QUESTION.

VISCOUNT HARDINGE wished to put a Question to the noble Duke opposite regarding the state of the frescoes in the Royal Gallery. When a year ago he asked a similar Question the noble Duke (the Duke of St. Albans) replied that the attention of the Chief Commissioner had been for some time directed to the decay which was manifesting itself in some of these frescoes, and he said, that an inquiry was then going on to ascertain how that decay could be arrested. But a year had now elapsed, and no Report had yet been laid on the Table. He did not blame the noble Duke, for he hardly considered him responsible for the Acts of the First Commissioner; but it must be borne in mind that the decay in the frescoes, which last year was comparatively small, had now very much extended, and he was not aware that anything had been done to arrest it in the interim. He was aware that the chemist of the War Department, associated with another eminent chemist, had been making experiments with what was called Wright's process, and he thought he had reason to complain that as yet no Report had been laid on the Table. His Question was, whether any Report has been drawn up as to the condition of the frescoes in the Royal Gallery?

THE DUKE OF ST. ALBANS said, it was not from any discourtesy that the Report had not been presented but because the chemist who had been employed on this subject was waiting for some information which had not yet been supplied to him by Mr. Wright, whose plan had been tried on the frescoes in the corridors between the two Houses of Parliament. His plan had also been tried on a certain portion of Maclise's fresco of Waterloo, in the Queen's Gallery, and as far as they were able to judge those experiments showed well. At the same time, they were novel experiments, and of course required time to test their efficacy. Mr. Wright's plan had been recommended by the Committee of Artists in 1871, and was being tried on various frescoes. Professor Abel was as yet unable to express any decided opinion; but when his Report had been received it would be submitted to the House.

THE DUKE OF RICHMOND expressed a hope that the chemists employed might be enabled very soon, if not to make a definite Report, to state what progress had been made in this matter.

THE MARQUESS OF RIPON said, he had no doubt the conversation on the subject would tend to expedite matters.

House adjourned at a quarter before
Nine o'clock, to Thursday next,
Half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 13*th May*, 1873.

MINUTES.] — Supply — *Resolutions* [May 12] *reported.*

Public Bills—*Resolution in Committee—Ordered —First Reading* — Merchant Shipping Acts Amendment [162].

Committee—Municipal Officers Superannuation* [6]—r.p.

Committee — *Report* — Customs Duties (Isle of Man) * [151]; Fulford Chapel Marriages Legalisation * [160].

Third Reading—Superannuation Act Amendment* [135]; Local Government Board (Ireland) Provisional Order Confirmation * [139]; Crown Lands * [140]; Metropolitan Tramways Provisional Orders (No. 2) * [77], and *passed.*

GAMBLING HOUSES AT HELIGOLAND. QUESTION.

Mr. W. O. STANLEY asked the Under Secretary of State for the Colonies, If the permission formerly granted to the authorities at Heligoland to open gambling houses during the bathing season has been withdrawn?

Mr. KNATCHBULL-HUGESSEN in reply, said, that at the time of the issue of the Order of 1871, forbidding the further licence of gambling-houses, there were none in any of our dominions except at Hong Kong and Heligoland, and since that date permission had been withdrawn in both instances.

ARMY—AUXILIARY FORCES—ADJUTANTS.—QUESTION.

Mr. MUNTZ, referring to the recent instructions issued for the guidance of Officers commanding sub-districts, whereby Adjutants of Auxiliary Forces are to be held available for general duty, asked the Secretary of State for War, as Adjutants of the Auxiliary Forces are under two classes, the one class, viz., the Adjutants of Militia, Yeomanry, and Volunteers who had left the Regular Service before the date of their appointment as Adjutants, and consequently at present hold no Army rank; the other class, appointed since 1871, being Captains on full or half-pay of the Army, and who do hold Army rank, Whether he will be good enough to explain what arrangements have been made to meet the difficulties that may be experienced when the Adjutants who do not hold Army rank are in the performance of general military duties at the depôt centres and sub-districts?

Mr. CARDWELL: As I have already stated, Sir, there are certain questions with respect to the allowances of Adjutants, especially of Adjutants of the Yeomanry, which will have to be considered when the colonels have had time to report upon the duties and the remuneration of those officers. With respect to the want of power on the part of those who have left the Army to discharge a portion of the duties now to be imposed upon them, it is under consideration to give them, under proper regulations, commissions which will enable them to discharge those duties.

PUBLIC HEALTH ACT—EPPING DRAINAGE DISTRICT.—QUESTION.

Sir HENRY SELWIN-IBBETSON asked the President of the Local Government Board, Whether it is true that in consequence of a Petition from the engineer of the Epping Drainage District, the Local Government Board intend sending an Inspector down to Epping with a view of making a provisional order to borrow money up to two years' rateable value instead of the one year's rateable value originally contemplated for the completion of the works; and, if so, whether he can state the reasons which justify such an outlay?

Mr. HIBBERT, in reply, said, that an Inspector had been sent down, and an inquiry had that day been opened. Owing to this being one of the cases in which the local authority had failed in providing water supply and sewage, the Local Government Board had appointed an engineer to carry out these works. An estimate was obtained by which it was expected that the works would be carried out at one year's rateable value; but in consequence of unforeseen difficulties in obtaining the water supply a larger outlay had become necessary. The Board did not, however, expect that much of the second year's value would be required.

PUBLIC HEALTH ACT, 1872—SALARIES. QUESTION.

Sir HENRY SELWIN-IBBETSON asked the President of the Local Government Board, If there is any reason for the doubt which exists in some districts as to the payment of half the salaries by the Government of Medical Officers and Inspectors of Nuisances appointed under the Public Health Act of 1872?

MR. HIBBERT, in reply, said, he was not aware that any great doubt existed on the point. Wherever the appointments had been made according to the regulations and with the sanction of the Local Government Board the half salaries would be paid.

LICENSING ACT, 1872—STANDARD OF VALUE.—QUESTION.

MR. VERNON HARCOURT asked the Secretary of State for the Home Department, Whether it is the fact that at the next Licensing Sessions all existing beerhouses which are not or cannot be brought up to the new standard of value prescribed in the 46th and 47th sections of the Licensing Act, 1872, will be absolutely deprived of their licences without any default or misconduct on the part of their owners and tenants; and, if so, whether he will introduce a Bill this Session to prevent the loss of property to persons who have invested their money on the faith of the Law with respect to valuation as it existed upon the passing of that Act?

MR. BRUCE, in reply, said, the first part of the hon. and learned Member's Question fairly represented the state of the case as it stood. These sections were passed last Session after a great deal of debate and a great deal of consideration by the House, and so far as these regulations went, without any Division, and, so far as he recollected, with very little difference of opinion. The object of the sections was to give effect to those guarantees which had been provided by the Beer Acts some 30 years ago. These Acts provided, with reference to the population of districts, that no licences should be granted to houses which were not of the value of £8, of £11, or of £15; but this provision had been scandalously evaded, and the result had been the licensing of a number of houses not of the proper value. Although these houses were not of the proper value, still, if they were brought within the proper value fixed by the Act of Parliament, the Justices under the Act of last Session had power to continue the licence. The Act of last Session however imposed three conditions. One condition was rather in favour of the beer-house owners than otherwise; for instance, the gross value was substituted for the rateable value. This was clearly favourable to the applicant. Secondly, the Act required that the probability of the renewal of the licence should not be considered in the value of the house, which he considered a fair provision. It had not been considered, and could not have been considered when the licence was first granted, and he saw no reason why it should be taken into account when a renewal was asked for. The third condition was that in estimating the value of the house the value of land other than pleasure grounds attached to the beer-house should not be included in the value. He had no intention of introducing a measure to amend in this respect the Act of last Session.

EAST INDIA FINANCE COMMITTEE—SECOND REPORT.—QUESTIONS.

SIR THOMAS BAZLEY asked the First Lord of the Treasury, with reference to the Notice of Motion for this evening respecting the Second Report of the East India Finance Committee, Whether Her Majesty's Government are prepared to take any steps to give effect to the Recommendation in that Report?

MR. GLADSTONE, in reply, said, that when application was recently made on behalf of the Committee to bring witnesses from India at considerable expense, and to charge that expense upon the public fund, it was thought by the Treasury that the matter lay so much outside the common line which marked such cases that the House ought to be made perfectly cognizant of what it was intended to do in the matter. They considered that the Government, rather than the Committee, ought to take the initiative in the matter, and to decide in the first instance the question of the mode in which the expense should be provided for, the House, of course, being the final arbiter in the matter. There could be no doubt that the desire of the Committee that witnesses should be sent for must be complied with. What the Government proposed, therefore, was this. They would authorize the

Governor General in India to publish an announcement giving persons in India an opportunity of tendering themselves as witnesses. Of course, those witnesses would not have their expenses paid unless they were approved by the Governor General. The Government would endeavour to consider carefully what would be a fair arrangement as to expense, and would make known their view to the House, with whom it would rest to deal with the matter as they thought fit.

Mr. HUNT inquired whether the witnesses could not be examined in India by a Commission?

Mr GLADSTONE said, that any such proposal would clearly go against the view of the Committee, who were strongly of opinion that there should not be a vicarious examination of witnesses in India. He did not think they ought to do anything to hamper or limit the scope of the inquiry.

Sir STAFFORD NORTHCOTE inquired out of what funds the cost of the inquiry would be paid?

Mr. GLADSTONE: The Government of India.

ENDOWED SCHOOL COMMISSIONERS—EMANUEL HOSPITAL SCHEME.

MOTION FOR AN ADDRESS.

Mr. CRAWFORD: Sir, I rise for the purpose of submitting to the House the Motion which stands in my name on the Paper, with regard to the scheme of the Endowed Schools Commissioners in reference to the future management of Emanuel Hospital; and I am sure I shall not misinterpret the feelings of the House, when I say, that there are few, or no hon. Members on either side of the House who, taking an interest in the question, do not share in the satisfaction which I now feel in, at length, finding myself possessed of an opportunity of inviting the House to a thorough discussion upon the whole question, and also of taking the opinion of the House upon the important issues which are necessarily connected with it. I do not suppose that the House will expect from me many words in the nature of apology or explanation with regard either to the Motion itself or the importance of it at the present moment. With regard to the terms of the Motion, they are prescribed by the Act of Parliament, and in reference to the position which I occupy, speaking from these benches, from the occupants of which I do not expect any general support, I hope I may be permitted to state that I am here in willing recognition of a duty which I consider I owe to those whom I have the honour to represent in this House. The constituency which I represent includes within it not only the Lord Mayor and Aldermen of the City of London, the Governors of Emanuel Hospital, but also the Corporation at large—deeply interested, as they are, in Christ's Hospital, and similar institutions, as well as the various City Guilds and Companies who have so many other endowments of a similar character intrusted to their care. Under these circumstances, I should certainly have failed in the duty which I owe to the great Bodies whom I represent if I had, for a single moment, hesitated from any personal consideration to render, and that most willingly, any assistance which may be in my power in bringing before this House the grounds upon which they conceive that the scheme of the Endowed Schools Commissioners with reference to Emanuel Hospital ought not to proceed any further. Now, Sir, allow me to state to the House a few words with regard to the endowment of this Hospital. The endowment of Emanuel Hospital had its origin in a bequest which was made by Anne, the widow of Lord Dacre and sister of the Lord High Treasurer Buckhurst, bearing date about 280 years back, by which that benevolent lady assigned the revenues of a certain manor, Brandisburton, in the East Riding of Yorkshire, together with other moneys, in trust for the erection and support of a Hospital for the relief and maintenance of 20 poor persons and "the bringing up of 20 poor children in virtue and good and laudable arts in the said Hospital, whereby they might the better live in time to come by their honest labour." That being so, the trustees of Lady Dacre's will, in the course of time, preferred a request to the Crown, in accordance with which, in the year 1601, a Charter of Incorporation was granted, under which the Lord Mayor and Aldermen of the City of London were appointed after the death of the surviving executors to be the trustees for ever for the management of the affairs of Emanuel Hospital. And I think that the House will not be surprised when I state that there existed obvious reasons why the Corporation of London should have been selected. Lady Dacre was grand-daughter of Sir George Brydges, a former Lord Mayor of London, and had passed some portion of her early life within the City of London. That, I think, the House will consider a sufficient reason why she should have suggested that the Lord Mayor and Aldermen should be the trustees under her will. [Mr. Gladstone appeared to express dissent from this last observation.] Sir, I do not think the right hon. Gentleman ought to interrupt me in my narration of the simple facts, because the right hon. Gentleman will have an opportunity hereafter of answering me and of correcting any mis-statements should I make any. The fact, I may tell the House, was mentioned to me on the previous day by a gentleman who told me that he had it from a person who knew what he was talking about. Well, now, Sir, the history of it is this—Lady Dacre was daughter of Mr. Sackville, who had married the daughter of the Lord Mayor, Sir George Brydges, and I cannot help thinking that there is nothing whatever unreasonable in the suggestion that the Lord Mayor and Aldermen of the City of London should, therefore, have had the preference over the Dean and Chapter of Westminster, or the Corporation of Westminster, with its Lord High Steward, High Bailiff, and 24 Burgesses, as the Governors of the Institution in Westminster for carrying out the purposes of the trust. The manor of Brandisburton was let, in accordance with Lady Dacre's wishes, for the long term of 100 years; but in the course of years the leases of the manor fell in, and the value of the trust property having become largely augmented, as would naturally be the case after a lapse of years, the trustees extended from time to time the benefits of the Hospital to a larger number of persons than those who originally partook of them. And amongst those who took an active part in the management of the trust, I have found the names of Sir John Barnard and Sir Richard Carr Glyn, whom, I may observe, I mention for the purpose of dispelling any notion which may have been prevalent as to times gone by that jobbery in things of that kind was as rampant in the City as they are generally supposed to have been. This condition of things has remained ever since, and, as far as I can tell, the only charge against the Governors—the only charge I have ever heard—is that they did not anticipate the change which has occurred in public opinion, and that, instead of applying to the Court of Chancery or to Parliament for enlarged powers for the purpose of carrying out, on an extended scale, the trusts which had been confided to them, they have simply confined themselves to the strict execution of the trust. I now come to the Royal Commission, which was appointed some 10 or 12 years ago, for the purpose of inquiring into the Endowed Schools on account of the insufficiency of the power of the Charity Commissioners to deal with these endowments, and I most willingly bear testimony to the assiduity, diligence, attention, and zeal of the Commissioners, and to the value of the Report which they presented to the House upon the conclusion of their arduous labours. One of the first acts of the present Government, after they had come into office, was the introduction of a Bill, one of the principal objects of which was designed to carry out the recommendations of the Endowed Schools Inquiry Commissioners by the appointment of Commissioners whose duty it would be to prepare schemes for the future management of School Endowments, which, having passed through certain prescribed forms, would be laid before Parliament, and take effect, by being imported into the statute law of the Kingdom, if within 40 days objection had not been taken to them. I need not tell the House that the Bill excited much apprehension throughout the country, that that apprehension was expressed in this House, and that deputations—I may mention notably one from Bristol — waited upon my right hon. Friend (Mr. W. E. Forster), who made to them declarations similar to those which he subsequently stated in the House of Commons. On moving the second reading of the Bill, my right hon. Friend, after referring to some cases of gross abuse, admitted that many of the schools were good, and said—

> "I could point to several most excellent schools which we discovered in the course of our inquiry, and since I introduced the Bill I have found objections made to it, not by the bad schools—they never come near me—but by some of these good schools. They are afraid of the Bill. Now, I wish to assure them and the House that it is not for the good schools that Bill is framed. We cannot, of course, exempt

such schools by name for in that case there would be no end to endeavours to obtain it; but schools which are well managed need fear nothing from the operation of a Bill which is to introduce good management." — [3 *Hansard*, cxciv., 1362.]

Now, Sir, the effect which was produced by these words of the right hon. Gentleman uttered in the present Parliament, and therefore within the recollection of many hon. Members, is shown by the debate which followed. The hon. Gentleman the Member for the University of Cambridge (Mr. Beresford Hope) who rose to address the House after my right hon. Friend, expressed the relief which such an assurance had given him, and I myself, and many other hon. Members did so likewise, the result being that the Bill which had been threatened with much opposition for a considerable time passed its second reading without a division, and that at an hour which permitted a Tests Bill to occupy the remainder of the night. Such being the effect, let me ask the House what was the intention of the statement. I am perfectly sure that my right hon. Friend never could have meant to take the slightest advantage of the House, for I am sure I echo the general feeling in saying that no man from the manner in which he has conducted public business is more entitled to the confidence of the House than he is. In point of fact my quarrel is not with the Minister but with the Endowed Schools Commissioners, who in carrying out the Act have thrown overboard the assurance which was given by my right hon. Friend. I wish at once to state to the House that I desire to say nothing whatever disparaging of the three gentlemen who were nominated Commissioners—Lord Lyttelton, Mr. Arthur Hobhouse, at that time one of the Charity Commissioners, and Canon Robinson, for it would certainly be most improper to impute to those gentlemen that they had in the slightest degree been governed by any other motive than the same conscientious feeling to perform their duty, for which I claim credit myself. But I must be permitted to say, that they have avowedly and designedly thrown over the declarations of my right hon. Friend, and in proof of this statement I would beg to quote to the House Lord Lyttelton's remarks in the House of Lords on the 30th of June, the year before last, 1871, when the first scheme for the management of the Hospital was rejected by that House. That noble Lord upon that occasion said—

> "It was not for him to attempt to defend the words of the right hon. Gentleman (Mr. Forster) which had been so often quoted; but the Endowed Schools Commissioners did not stand upon the words of any Minister of the Crown, or of anyone whatever, but upon the Reports of the School Inquiry Commission, to which the noble Marquess (the Marquess of Salisbury) had not once referred, and the recommendations of which they maintained they were endeavouring to carry into effect in their schemes. They stood also upon the terms of the Act of Parliament, in which not a word was said about bringing abuse and mismanagement home to the present managers of the schools."—[3 *Hansard*, ccvii. 874.]

Having read to the House the remarks made by Lord Lyttelton upon that occasion, on the 30th June, 1871, I think I may be permitted to say that although the course which has been taken by the Commissioners might possibly be strictly within the letter of the Act of Parliament it certainly is not within its spirit, and that it is contrary to the entire feeling of the country at the present moment. Further, I say that if it was not their duty it would at least have been wise and discreet on the part of the Commissioners, not at once, in the first instance which came under their notice, to push as they have to the extreme the powers with which they asserted they were intrusted under the Act. If, instead of communicating in wordy letters penned with the intention of every word remaining as a record of the mighty vein in which their opinions were expressed, they had at the outset invited the Lord Mayor and other Governors of Emanuel Hospital to discuss matters with them in a friendly, quiet, and practical way before anything was reduced to writing—if this had been done I venture to think there would have been very little of all this trouble. But what was the course which was taken upon that occasion? The Governors of Emanuel Hospital prepared a scheme from which scheme the Commissioners disagreed and then prepared one of their own in which principles were asserted and provisions included, which naturally raised a feeling on the part of the Governors against that scheme. Without going into detail, which might weary the House, the resulting consequence was that a very long and wordy war ensued between the two parties, which ultimately ended in the Commissioners adhering to the scheme which they had propounded, and its being laid upon the Table of both Houses of Parliament, shortly after which it was rejected by the other House. Well, Sir, the breath was hardly out of the body of the defunct scheme when the Commissioners returned to the charge and lost no time in preparing a second scheme, and upon that another long correspondence of a very recriminatory character upon both sides passed, and eventually the matter was carried up by appeal to the Queen in Council, and the Court of Appeal heard and decided the question at issue between the litigant parties, not upon the merits of the scheme itself, which were not under its cognizance, but only upon points connected with its legality. I trust the House will forgive me for saying that I hope a decision will not be come to upon a false issue. The House should bear in mind that they are not pitting the one scheme against the other. The scheme of the Governors is not before the House. It has now to consider the scheme of the Commissioners only, and although the present scheme differs very much from the former one, and if I may be permitted to say so, certainly shows the wisdom of the other House in rejecting it, although the present scheme is better than the first which was propounded, and more palatable to those it affects — the Governors of the Hospital, it is one which, under all the circumstances of the case, I venture to submit, ought not now to be accepted. It is not fair to the Governors, I submit, that they should be called upon to give their consent to a scheme which contains some of the most, to say the least of them, controvertible propositions, at a time when they are under the examination of a Committee sitting up-stairs. The whole question of the very existence of the Commission —its powers and all the many matters raised in these angry discussions are at the present moment *sub judice* before the Select Committee to which I have referred. It might have been reasonable to have simply proposed that the consideration of the scheme upon the Table should be postponed until that Committee had reported, but unfortunately the House is in this position, that if the scheme be not disapproved before the 6th of June next, it will become the law of the land. Although the Committee up-stairs has sat now for a considerable length of time, I am debarred by the Rules of the House from taking any cognizance of the evidence which has been given before it, notwithstanding the general nature of that evidence might be collected from the newspapers of the day. At the same time, however, it is fortunate that I am not prevented from referring to things which have been said by the Commissioners at an earlier period, and which they now set forth as the guiding rule of their policy. At a meeting of the Social Science Association, held on the 8th of June, 1869, when the Bill was passing through Parliament, a paper bearing very much upon that question was read, and then Mr. Hobhouse—at that time a Charity Commissioner, and about to be appointed one of the Endowed Schools Commissioners—in the course of discussion made use of the following extraordinary language. And I tell the House at once that I quote it in order to show what were the ideas prevalent in the minds of gentlemen who were then about to be intrusted with the functions of that Commission. Mr. Hobhouse, upon the occasion I have alluded to, used these extraordinary words—

> "To talk of the piety or benevolence of people who give property to public uses is a misuse of language, springing from confusion of ideas. As a matter of fact, I believe, as I have elsewhere said more at length, that donors to public uses are less under the guidance of reason and conscience and more under the sway of the baser passions than other people."

Now, Sir, I cannot help saying that those words, distilled, as it were, from flint, are the words which fell from the mouth of a "Charity" Commissioner. Some Members of this House were present not very long ago on the occasion of the interesting ceremonial of the foundation stone of the Chapel of Keble College at Oxford being laid. I should like to know what would be the feelings of Mr. William Gibbs, who towards the close of his long well-spent life, in giving a portion of his hard-earned gains to the purposes of the building of that Chapel, if he were to be told that he was "under the sway of the baser passions" of human nature. In point of fact I can hardly read such language to the House with patience, and yet the gentleman who used it, and was about to take those principles as his guide, was appointed to be an Endowed Schools Commissioner. We have been told that Corporations have no bowels of compassion and no conscience; but the Grocers' Company only the other day gave £20,000 to aid in building and endowing a wing at the London Hospital. Let me ask the House, was this an act dictated by the baser passions of human nature? And yet some day we may see an attempt made upon some pretext or other to lay hands upon such an endowment as that. Mr. Hobhouse went on to say—

> "Having now reviewed the principal doctrines and arguments on this subject, I am in a position to state the two simple principles which should be established with respect to foundations. The first is that the public should not be compelled to take whatever is offered to it. The second principle is that the grasp of the dead hand should be shaken off absolutely and finally."

The dead hand! That is to say, if they take the money, when the donor was dead and gone they might appropriate the endowment to what ever purpose they might please. At the time, Lord Lyttelton said, that if he and Mr. Hobhouse were allowed to do that which they certainly should feel it their duty to attempt, "the pious Founders would go to the wall." And he (Lord Lyttelton) added that—

> "He still doubted whether managers of endowed schools had not some cause to complain that they were not placed under the control of men of less pronounced views upon the subject than himself and Mr. Hobhouse."

Now, Sir, I think I need not tell the House that the natural result of such views being entertained in such a quarter was that they were carried out in the scheme which is now lying upon the Table of the House. And it is because I object to principles like these being allowed to remain as the governing principles in the minds of the Commissioners that I do ask the House to pause until the Committee up-stairs has decided what course it will take, and Parliament has come to a conclusion as to whether it will be desirable to continue the Commission in its present shape, or in any way to alter its constitution. It is for these reasons, which I think the House will view as reasons of a public character, that I do ask the House to withold its assent to the present scheme. I do not for a single moment mean to deny that the scheme of the Commissioners is not in some respects a good scheme, but I find that in it which I contend the Governing Body are justified in opposing. It is certainly not to be expected that they should approve their unceremonious removal from the government of the Hospital or the manner in which it is proposed to divert the endowment from the purposes to which it was originally dedicated by Lady Dacre. The executors under the will of that benevolent lady drew up rules for the government of the Charity, and the purposes for which it was intended were clearly explained. It is perfectly evident that the poor whom she had in her mind were not persons living by daily labour, but persons who having been in a better position of life had through some unavoidable misfortune and not through any fault of their own, become reduced in circumstances. I maintain that the children of such persons are those whom Lady Dacre intended to benefit. And of these there are many cases such as that of a widowed mother having three or four children, for whom she managed to gain a scanty subsistence from needlework, keeping herself and them off the parish to whom the word "poor" may be properly applied and to whom the advantages of the endowment might be properly extended. It is now said that no children are to be allowed admission into the school unless they can pass a certain examination; but it is perfectly absurd to suppose that a child of seven years of age, born of parents in the circumstances I have just mentioned, can be prepared for such an examination in writing and the rules of arithmetic as is proposed. There are, no doubt, certain exhibitions to be granted, but if they are to be conferred upon the boys entering the school, I should like to know of what advantage can they be to children of the age and in the position I have been speaking of. The Governors of the Hospital are charged with seeking to maintain patronage in their own hands purely for the purpose of patronage, and the inhabitants of Westminster, on the other hand, are claiming for themselves the exclusive right to the benefit of the endowment. A handbill was lately published, calling a meeting in Westminster, to protest against the "scandalous abuses" of the Charity by the City, and demanding that it should be applied for the benefit of "the rightful owners—namely, the deserving poor of the City of Westminster and Chelsea." That meeting was presided over by an hon. Member of this House, the Member for Hertfordshire (Mr. Brand), who, claiming to be a descendant of Lady Dacre, alleged that she had endowed the Charity solely for the benefit of the poor of Westminster and Chelsea. Now, Sir, I think I shall be able to show that this statement is far from being well founded. I hold in my hand a list of the children now in this Hospital, from which it will appear that out of the 58 poor children now its inmates, there are 29 taken from Westminster, 3 from Chelsea, 2 from Hayes, 6 from Brandisburton, and 17 from London. There is in one instance a blank against the name of a child, in the column which should show the place it came from, and I think the House will be surprised to hear, that although the hon. Member for Hertfordshire presided upon the meeting in which it was claimed that the Charity should be applied solely for the benefit of the poor of Westminster and Chelsea, the child in question had come from Hertfordshire, having been admitted by the Governors in contravention of the rules, at the expressed request of Lord Dacre. I trust I shall be able to show that the charity was never intended for the benefit of the poor of Westminster and Chelsea more than for the poor of any other places. There is nothing either in the will, or in the Charter of Incorporation of the Charity, which justifies the claim which has been put forward on behalf of those districts. The charity was incorporated under the name of the "poor of Emanuel Hospital in or near Westminster, in the County of Middlesex," and not of the "poor of Westminster and Chelsea." After the means of the Hospital had increased, the Governors resolved that the number of inmates should be augmented, but they expressly declared that they did not find anything in the will of Lady Dacre, or in the Charter of Incorporation, or in the Act of Parliament of 1794, which limited admission to the benefits of the Charity to the poor of any particular district, and acting upon this view, they nominated children from among the poor of the City of London as well as of other places. Now, Sir, I do not wish to take up the time of the House longer than is really necessary for the purpose of placing as succinctly and as shortly as possible before you the real circumstances of this case. I think that I have shown, as regards the administration of the affairs of the Hospital, that the Governors of that Hospital have not subjected themselves to the charge of having in any way misappropriated or mismanaged the affairs of the charity, and that they have not departed from the terms of the will of Lady Dacre. I submit to the House that I have further shown that the Governors are willing to enter upon a different course of instruction in the School. All that the Governors contend for is that they shall not be removed from the management of the School without any default on their part having been shown. I need scarcely refer the House to the high position which is at the present moment held by the City of London School in support of my argument. I submit that the City of London is capable of managing such institutions as these with perfect success. With regard to the religious view of the question, I may state that of the five Aldermen of the City of London who hold seats in the House at this moment, four are Nonconformists, and one is of the Jewish persuasion, and that, therefore, it can scarcely be said that the Church of England would be likely to exercise any denominational influence in the management of the School. Sir, on the whole I trust that I have made out a case which justifies me in appealing to the House not to approve the scheme of the Endowed Schools Commissioners. I think I have shown that the Governors, the Lord Mayor and Aldermen, have not only not abused their trust, but that, on the other hand, they have conscientiously carried out the trust which was confided to them by its benevolent Foundress, and that I am justified in appealing to the House not to approve of this scheme. I therefore beg to move the Resolution of which I have given Notice.

MR. BERESFORD HOPE: I rise to second the Motion; but I trust that I shall not be supposed in doing so to put myself forward as in any way impugning the abstract merits of the scheme proposed by the Endowed Schools Commissioners. Irrespective of the question of whether it is a school which ought rightly to be built on the ruins of old Emanuel Hospital, it is a proposal of a broad and liberal character; and as both that scheme and the one proposed by the Governors of the Hospital are good in their way, I shall be glad to see them both carried out in Westminster, where there are, Heaven knows, room enough and numbers of poor children enough not only for these, but for many more, similar foundations. In the debate upon the question in "another place" which led to the defeat of the Commissioners' first scheme, the agony was piled high, and it was vehemently alleged that if the plan of the Endowed Schools Commissioners were not at once adopted, a grand opportunity would be lost which could not recur again. On the other hand, I contend that considering the state of misunderstanding which, as I shall show, exists, as to the animus of the Commission, and having regard to its being at this moment on its trial before a Committee of this House, nothing can be lost by a seasonable delay in determining upon the proper scheme under which such an endowment should be administered. In the debate on the second reading of the Endowed Schools Bill on the 15th of March, 1869, my right hon. Friend (Mr. W. E. Forster) emphatically assured the House that it was not against the good schools that the Bill was framed. He said—

> "since I introduced this Bill I have found objections made to it, not by the bad schools—they never come near me—but by some of the good schools. They are afraid of the Bill. Now, I wish to assure them and the House that it is not for the good schools that the Bill is framed. We cannot, of course, exempt such schools by name, for in that case there would be no end to endeavours to obtain it, but schools which are well managed need fear nothing from the operation of a Bill which is to introduce good management."—[3 *Hansard*, cxciv. 1362.]

The right hon. Gentleman is too honest to deceive the House, and too much of a statesman to be a tactician. But his promise has not been carried out. The two men who have falsified that pledge are two of the most honest and upright men in the country—my right hon. Friend is one, and the other is my very old and honoured Friend Lord Lyttelton, whose transparent honesty and earnestness shine in every action of his life. Neither of them, I am sure, ever had any intention to mislead either Parliament or the country; but the cross currents of the controversy were too strong for them, and they have drifted from their moorings. I regret that two such men should have put themselves in a position absolutely false and untenable. It is a great warning to my Friends on this side of the House, for none of them know to what they may come if they are reduced to the unhappy dilemma of walking across the floor, and taking that bench. At that time, however, Lord Lyttelton, Mr. Hobhouse, and Mr. Robinson were myths. The Endowed Schools Commissioners were not yet appointed. The recommendations of that first Commission, which examined into the condition of our endowed schools, and on which the Act is professedly framed, no doubt laid down a wide scheme of very trenchant alteration; but it was qualified altogether by the proposal that the reform should in all cases be carried out by "provincial boards"—that is, by local bodies of men of intelligence and county position, acting under central control, but conversant with, and accessible to, local claims and circumstances. But matters assumed a very different colour when, by the Bill, the management was instead proposed to be given to an irresponsible secret trio sitting in Victoria Street. I myself, following the right hon. Gentleman in the debate, pointed out the alarm already caused by the power proposed to be vested in the "triumvirate" to

> "initiate, to reform, to alter schemes, subvert constitutions, and recast the whole arrangements of the numerous endowed schools of England. I do not for one moment say that is my right hon. Friend's intention, for he has disclaimed it in emphatic terms; but it must be remembered that the *animus imponentis* is not necessarily what governs any law."[3 *Hansard*, cxciv. 1383.]

Referring to "apprehension," I observed—

> "My right hon. Friend said to the good schools,—'Don't be afraid, our Bill does not touch you; it is merely for the bad schools.' But, in fact, it does touch the good schools as well as the bad. It sweeps in, with some named exceptions, every endowed school, great or small, more than 30 years old."—[*Ibid.*]

That was the original proposal, although in Committee we succeeded in extending the period to 50 years. I will now turn from these comforting assurances of the right hon. Gentleman to an extraordinary Blue Book couched in touching, not to say plaintive accents, by the Endowed Schools Commissioners, and published last year. We have heard of the *Apologia pro Vitâ Suâ* from a man of eminence, but this is the first time that a public body in the position of a Commission has put forward an *Apologia pro Vitâ Suâ*. It is an appeal to the merciful consideration of the House from a moribund Commission, and it sets forth how great have been its endeavours and its failures, and how persecuted it has been of gods and men. It has not been able to abolish Greek even in the borough of Bradford. The House of Commons thought, when they were passing the Endowed Schools Act, that the word of the right hon. Gentleman was as good as his bond, and yet; what is the gloss which the Commission of Three put upon the speech of the right hon. Gentleman, and what is their definition of their duties in regard to schools, both good and bad? It appears from their defence that they regarded themselves at liberty to re-model the institutions of the governing bodies of schools throughout the country, whether cases of abuse had arisen or not. They say—

> "It will be desirable also to advert to one general issue that has been raised, and which, if it were ultimately to be decided contrary to the views which we ourselves have been acting on, would in our judgment, most seriously interfere with the working of the Act. Are we at liberty to re-model the constitution of these governing bodies throughout the country on general principles, proceeding on the accumulated experience of many previous generations, which, in our opinion, as in that of the Schools Inquiry Commissioners, point to the conclusion that existing systems of appointment are defective and inexpedient, and that they need to be reformed on some such principles as we have adopted? Or are we bound to look at each case, estimate the actual balance of good and evil which in each such case can, whether in consequence or in spite of the actual form of government, be shown to have resulted, and deal with the question of the Governing Body accordingly? Or, to put it more definitely, and in the form which the contention has actually been found to assume, are we to leave a given Governing Body materially unaltered in its composition, unless we can establish against it a case of abuse or breach of trust? We have acted on the former view. We conceive that the latter proceeds on a misconception of the whole bearing of the Schools Inquiry Report and of the Endowed Schools Act."

Thus not only are the pious Founders to go to the wall, but the pious trustees also. How is the House to reconcile these views with the assurance of the right hon. Gentleman that it was only the bad schools that had anything to fear from the Act? The Vice President of the Council may say that the Commissioners might set up a different school with different objects, income, masters, mistresses, trustees, and everything else, and yet that he had kept faith with the House, if only it appears with the same name as that of the institution which it has supplanted. He may say that it was the same school, just as the Irishman's was the same knife after it had got a new haft and a new blade. But would that be dealing fairly with men of sense and honour? What did the right hon. gentleman mean by a school? Did he mean the bricks and mortar, the desks, and the forms upon which the scholars sat, or the human souls by whom the school was directed, who watched over its discipline, finances, and teaching? Of course he meant the latter. The right hon. Gentleman may lay the blame upon those *enfants terribles* the three Commissioners, who did not care for anything he had said, and who looked only to the Act of Parliament. But who was the parent of the Act, which defined the duties and responsibilities of the Commission? Who had appointed the Commissioners, and approved their successive schemes? Why, the right hon. Gentleman. I acquit the right hon. Gentleman of any attempt to play with our credulity. He may appeal to his good intentions; he has had enough no doubt to furnish a good many pavements; but my right hon. Friend has not shown himself to be the legislator that we had hoped to have found him. The Commissioners play their trump cards in this Report, and like ladies who choose the postscript when they wish to sting, they have put their strongest point in a foot-note. They give an extract from the Report of the Select Committee on the Endowed Schools Bill:—

> "Tuesday, 13th April, 1869.—Clause 10. An Amendment made; amendment proposed at the end of the clause to add the words, 'But such power shall not extend to deprive any such Governing Body, whether corporate or unincorporate, of any of their rights and powers, or to remove either wholly or partially, any such Governing Body, or to dissolve such corporation, without such satisfactory proof that such Governing Body has abused or improperly used the trusts for which such Governing Body was appointed' (Mr. Alderman Lawrence). Question put, 'That those words be then added.' The committee divided—Ayes (2), Mr. Alderman Lawrence, Mr. Talbot; Noes (18), Lord Robert Montagu, Mr. Dillwyn, Mr. Buxton, Sir S. Northcote, Mr. Walter, Mr. Walpole, Mr. Mowbray, Mr. Hope, Mr. Goldney, Mr. Melly, Mr. Bright, Mr. Howard, Mr. Winterbotham

Mr. Adderley, Mr. Acland, Mr. Parker, Sir J. Pakington, Mr. Gregory."

My right hon. Friend at the head of the Government cheered significantly when I read out my own name; but I appeal to this vote of mine as the strongest proof of the correctness of my position. I should certainly never have given it on that side if I could have taken a glimpse into futurity. In my unsuspecting innocence, I voted with the majority because I relied on the words of assurance which had been given on the subject from the Treasury bench; and I believe I may say for other Members of the majority, that if they had been endowed with a little more foresight and a little less unsuspicion they would have voted otherwise. The Commission at present, and for the purposes of this discussion, must be taken to be *in extremis.* It is on its death-bed, "unhouseled unaneled." What moral right has the Commission, backed by a consenting Government, now that it is on its trial before a Committee due to that very Government, to force on a scheme to which it has itself attached so peculiar a value, as a precedent for future action, which, after all, may never come about? Again, has the right hon. Gentleman ever fairly appreciated what the results of legislation of this sort would be on that innumerable body of good people in the land who devote a portion of their property to good works? What is that which has marked England above all countries of the world in modern times? It is the national affluence and exuberance in giving. This Commission is dealing with an enormous mass of private endowments. Many of them may have been abused. Deal with them ruthlessly, if you please. Those that have been well administered leave as they are, as far you can. I thoroughly admit that you can make better institutions theoretically. The system of private endowment is often cumbrous and wasteful. It is a common saying that three societies are usually started in England to do work which one can well perform. But this is the inevitable fine which we have to pay for freedom of choice. You may by your system of radical transformation develop power and symmetry, but at what price? At the price of stopping for all time to come the supply of voluntary foundations. We see too much in foreign States of the oppressive control which Governments consider themselves entitled to exercise over all the functions of social life, whether the constitution of the country calls itself a paternal despotism, or a democratic republic—twins both of the same mother, and that not liberty. The day might come, when, as like the French Minister of Public Instruction, some Vice President could point to the clock in his office and say, "at this moment all the boys in all the public schools are construing such a page of Livy." Let the edict go forth that the intentions of a Founder will not be respected after the death of that Founder, and money that would have been left for charity will be spent on private luxury, or given to the nearest friends or kinsmen. That question, and that question alone, is the one which stands behind the pending division. Whether Emanuel Hospital flourishes, or whether it perishes is in itself but a small matter; but it will be a bad day alike for liberty and for beneficence, if the dead hand of a State Department is allowed to weigh upon the spontaneous creations of personal self-sacrifice. What the House is called upon this day to elect is between the old English ideas of liberty and charity, and the modern assumptions of bureaucratic government, the only effect of which will be to check those good impulses of human nature upon which we have hitherto as a people so successfully relied. On these grounds, without too narrowly scrutinizing the competing schemes, I desire to second the Motion.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty that She will be graciously pleased to withhold Her assent from the scheme of the Endowed Schools Commissioners for the management of Emanuel Hospital, in the parish of St. Margaret, in the city of Westminster."—(*Mr. Crawford.*)

MR. GLADSTONE: Sir, it is to some extent satisfactory to commence the discussion of a controverted matter like this by narrowing the field of debate, and especially in a case like this, where the points are so numerous and the details so intricate that it is difficult to bring the House to a close and accurate view of what the subject at issue really is. My hon. Friend who has just sat down has stated to the House the motives which led him to think we ought to encourage the liberality of private foundation by showing a great and studious respect, of course within the limits of reason, for the wills and the wishes of Founders. Well, Sir, I am disposed to agree with my hon. Friend on this point, and I claim the whole benefit of the principle he has laid down for the scheme of the Commissioners. I repeat, that I will undertake to show my hon. Friend that I claim the whole benefit of the principle that he has laid down for the scheme of the Commissioners, and against the proposition which he has urged upon the House. That is what I undertake to show. Well, now, Sir, it is with great satisfaction that I observe, after having heard two hon. Gentlemen as competent to do justice to a cause they take in hand as could possibly be desired, that for all practical purposes they confine their objections to one point—that is the re-construction of the Governing Body. My hon. Friend the Member for the City of London in the course of his speech threw out a skit against competitive examination; but it was only a passing word, and with that single exception, I state the literal truth when I say that in those two speeches nothing has been urged against the scheme except the alteration in the Governing Body. It has been urged that my right hon. Friend near me promised that the good schools should not be interfered with, and it is somewhat strange to hear that on account of that declaration a Bill was passed through Parliament which gave no protection to those good schools, which made no attempt to divide them, and which left all schools open to the invasion of the Commissioners, though it was notorious at the time—and in this I challenge contradiction—that even such schools as King Edward's School and Christ's Hospital were within the jurisdiction of the Commissioners. Well, Sir, I am not going to commit the folly and presumption of being the expositor of the words of my right hon. Friend, who will have an opportunity of referring to them himself; but the use which is made of those words does not show that they were received with the simplicity and child-like candour which my hon. Friend claims. There is considerable worldly wisdom in the mode of handling them, in attempting to fasten upon my right hon. Friend a promise that nothing should be interfered with except schools which were scandalously bad. This consideration is, I need scarcely say, absurd on the face of it; and I shall pass on at once to the next point, which is, that the whole matter is under discussion upstairs. My hon. Friends appear to think that there ought to be a year of jubilee given to this Commission. The Commission was a temporary Commission, and it was, of course, to be a matter for consideration whether it should be renewed at the end of the four years when its labours would terminate. My hon. Friend says that the Commission is unhouseled unaneled; that it has not been absolved from its delinquencies. But it seems that with the exception of its first scheme with reference to Emanuel Hospital, all its schemes are in operation. The object of the inquiry upstairs involves no charge, and raises no suspicion against the Commissioners, and if this objection is taken at all, it should have been taken before. Why have you been allowing their schemes to be carried into operation? This scheme involves no new principle, but it happens to deal with a Governing Body which is of a very formidable character. The Commissioners have dealt with schemes in which all the principles occur which are involved here—the reconstruction of Governing Bodies, the consolidation of charities, and the alteration from boys to girls. My hon. Friend very justly says that the House itself has been a party to the schemes of the Commissioners. In this very Session we have passed into law the Grey Coat Hospital scheme, which is founded identically upon the principles of this scheme, with one exception, that it had not the misfortune to come into contact with the Corporation of the City of London. Now, however, that the Corporation of the City of London is called upon to submit to the common law which has governed our proceedings with regard to other corporations, an attempt is made to prevent the previous labours of the Commission from bearing the fruits which the public have a right to expect. Then I was surprised to hear my hon. Friend dwell at length upon some opinions that had been expressed by the Commissioners. But what have they to do with this scheme, which must be decided upon its own merits? Now, Sir, my hon. Friend has thought it worth while to quote some words used by Lord

Lyttelton. My hon. Friend, probably, does not know Lord Lyttelton. [Mr. Crawford: No.] If he had, he would have known that Lord Lyttelton was a man so modest in the estimate of his own abilities that he would be sure to find some reason for doubting his own fitness for the appointment. But that has nothing to do with the matter. It may, or may not, be an excellent reason for blaming an appointment made by the Government, but it cannot, in any way, affect the merits of the scheme itself. An attempt has been made in different towns and boroughs to create alarm by representing the scheme as one that invades the sanctity of wills to frustrate the intentions of Founders, and to allow the caprice of a public Board to overrule the objects for which those ancient institutions were established. I venture to say, on the contrary, that if hon. Gentlemen are really desirous of having the principles of reform applied in the spirit of temperance and moderation to the schools in which they may respectively take an interest, they have a model of that moderation in the scheme that is now before them. Well, now, Sir, I will not beg the question as to one point which has been referred to—namely, that as to the Governing Body. The grand charge against the scheme is that it invades the right of the Governing Body of Emanuel Hospital. I will discuss that point in two aspects. In the first place it is assumed by my hon. Friends that we are nowhere to alter the constitution of a Governing Body unless in consequence of having established against it some positive charge, either of malversation, or at any rate of scandalous neglect and incapacity. That, Sir, is the proposition which we are invited to adopt, and that proposition is in flat contradiction to the whole proceedings of this House for the last 20 years. For the last 20 years we have been dealing with Governing Bodies of all kinds. We have altered the Governing Bodies of the public schools and sent them adrift. I myself was a Governor of the Charterhouse. I was sent adrift, and have lost some very valuable privileges. But we had not the power—we had not, perhaps, the will—of the Corporation of London. Not only so, but Governing Bodies have been displaced and re-constructed in places where they were the legal owners and beneficiaries of the property. The Governing Body of Eton, for instance, were displaced, and their powers handed over to another to which only two members of the old body were appointed. Did we charge those bodies with malversation, scandalous neglect, or incapacity? Not at all. What, again, did we do with the Universities? Why, Sir, the Universities were governed before 1854 and 1856 respectively by Bodies which I must say—although there may, of course, be differences as to particular points—were Governing Bodies entitled to high respect, and against whom no charge of a definite nature was ever attempted to be substantiated. But they did not petition Parliament to be maintained. They did not complain of violent interference with their rights and privileges. They sacrificed themselves for the public good, and so has every other public body, except the one represented by my hon. Friend. And the demand he makes is this—that there shall be one law for the world at large, and another law for the Corporation of London. All other Governing Bodies in the world at large — be the individuals composing them high or low—in one part of the country or another—be they Governors of Universities or schools—shall, for the public good, and on general grounds of policy and expediency, be liable to be displaced; but beware of touching the Corporation of the City of London—a body which has enjoyed for 30 odd years the proud distinction of being the only unreformed Corporation in the country. That Corporation must be dealt with on principles different from those which are made for common mortals. Even its prerogative over Emanuel Hospital shall not be interfered with, except on some charge of misconduct which has never been attempted to be established in any other case. Well, Sir, it appears to me that it would be the greatest folly for Parliament to proceed on the absurd principle, that with respect to trusts of this kind, constituted in ancient times, and under circumstances widely different from the present, there should be no interference of any sort until something like a penal process has been gone through, and something like the verdict of a jury given, finding criminal misconduct or else gross neglect or incapacity on the part of the Governing Body.

That would be the way to inflame the question, to exasperate the minds of men, to check the progress of practical reform. Therefore, if it is expedient on grounds of public policy that this Body should be dealt with, there is no call upon the Commissioners, or upon the Government, who approve their action, to bring any charge against the Corporation of London with respect to its control and management of the school. But, Sir, the change proposed is a moderate one. In general, when those Bodies have been re-constituted, the old Governing Body has been allowed, to a very limited extent, a place in the new. In this case, however, the Corporation have 11 out of the 21 Governors, a small majority, but a majority. The change, therefore, is applied upon the principle which we have acted on in other cases; but it is a singularly moderate and limited application of the principle. But, Sir, let me go a little further. I have said we may assume, without any impeachment of this scheme, that the Governing Body has been faithful to its trust. Many of the displacing Governing Bodies were to theirs. But I say boldly, that the case of this public body is not unimpeachable. They have not adhered closely to the will of the Foundress. Let us examine that matter. What was the will of Lady Dacre, the Foundress? It has been said that Lady Dacre did not indicate the place, the inhabitants of which she meant to leave the benefit of her charity. Now, mark the challenge I give! It is this. I ask you to support the scheme of the Commissioners—you that respect the will of Founders and the legal right of the inhabitants of certain places. Well, then, take the will, and you will see that the Foundress refers to two objects of charity—20 poor persons and a number of poor children. The Corporation of London came into possession of the Charity in 1623, and yet there were no children on the foundation until 1737. [Mr. CRAWFORD: There was no money for them.] That is no argument at all. Why did they not divide the money they had between the two objects? But I do not make a great deal of that charge, because you will say—"Oh, these were very old stagers, many generations ago. Do not ask us to answer for their misdeeds." I will not. I come to the question—Have the Corporation been faithful stewards of the will and intention of the Foundress and of her executors, who were the depositories of her confidence, as to the persons she intended to benefit? What did Lady Dacre say? My hon. Friend says she gave no indication as to the place whence the people were to come who were to enjoy the benefit of the foundation. Lady Dacre directed that the Hospital should be erected

> "in Westminster or in some other place near adjoining thereto towards the relief of aged people and the bringing up of children—20 poor folks and 20 poor children."

She also says that the Hospital was to be called Emanuel Hospital in Westminster—"And my desire is that the said Hospital should be called Emanuel Hospital in Westminster." Well, my hon. Friend says that that is no indication as to the place the people were to come from. Let my hon. Friend carry himself back 300 years, and I ask him whether, when a foundation was made in a particular parish or place, it did not follow, reasonably and naturally, in the absence of specification, that it was intended for the people of that place? But I have not yet done with my hon. Friend. I have shown what Lady Dacre said; but, besides Lady Dacre, there were her executors, and my hon. Friend does not depreciate the executors of Lady Dacre, for the principal part of what he has quoted as the declarations of the Foundress were not her declarations, but those of her executors. No doubt my hon. Friend thought he was quoting unimpeachable authority, but I would ask him on whose authority he stated that the Corporation of London was indicated by Lady Dacre as the Governors of the Charity. I believe there is no foundation whatever for that statement, and though it is difficult to prove a negative, there is no reference to it in the case submitted by the Corporation to the Privy Council, or in any document known to it. I believe neither the Foundress nor her executors indicated the Corporation; their appointment, according to the Charter itself, being the act of the Crown and the Government. My hon. Friend has attributed the same weight to the declarations of the executors as if they were made by Lady Dacre. In that conclusion he is quite right, but he is bound by it, and I am afraid he has not carefully read all the circumstances. I have shown presumptive evidence that the recipients were to be drawn from Westminster, and I will clinch it by a positive declaration in the executor's statutes:—

> "We ordain that the said 20 poor people shall for ever be chosen and taken out of the City of Westminster, and the parishes of Chelsea and Hayes, in the county of Middlesex, in manner following:—viz., 17 out of the City of Westminster, two out of the parish of Chelsea, and one out of the parish of Hayes."

But my hon. Friend comes down to support the wills of Founders—[Mr. CRAWFORD: As to the 20.] Very good. The 20 exhausted the whole fund; and does my hon. Friend suppose it was the duty of the executors to point out what was to be done with accretions of money which they had no means of foreseeing? Had those accretions existed at the time, does it not follow that they would have been distributed in the same way? [Mr. CRAWFORD dissented.] Then, Sir, I will quote the Corporation of London itself against my hon. Friend. For instance, what view did the Corporation of London take in 1819? Why, they provided that a number of additional children might be brought in; but whence were they to come? From other parishes in Westminster; so that the Corporation, acting upon a principle never infringed till then, still recognized that Westminster, with the limited exceptions I have cited, was entitled to furnish the recipients of the Charity. Then, Sir, we come to 1844; a year which, as far as this matter is concerned, I am sorry exists in the annals of the City of London. A Committee of Aldermen was appointed to examine the matter. Did they think it would be according to public policy to extend the foundation beyond Westminster, and to abolish restrictions and privileges? Their thought was how much they could draw into the City of London—a city fed with charities, gorged and almost bloated with charities—that remarkable city, containing a larger extent of property devoted to so-called public objects—and for the application of which it is impossible to give satisfactory reasons—than any other city in the country. Though Westminster was poor to the lowest depth of poverty, and London was rich up to almost a splendid magnificence of wealth, that Committee looked into the deed and reported that, as they were advised, there was nothing in it to prevent their admitting other parishes to the benefits of the foundation, and, notably, the people of London. Why, Sir, if that is the way Founder's wills are to be acted upon, and if hon. Members come down to support an appeal, every word of which goes directly against the proposal involved, it is time to ask whether the English language has lost its meaning, and whether when we profess to act upon any principle, we habitually mean or suggest its very opposite. In the year 1819 Westminster had 17 recipients out of 20, and, had the number of recipients been doubled, it might have had 34 out of 40; but when, in 1844, the growth of the property admitted further enlargement, Westminster was allowed no portion of it, and it has been allowed only 34 out of 64. No doubt he is worse than an infidel who careth not for them of his own household; and, perhaps, the Corporation felt that their first duty was to the City, and that whatever grist was thrown into the mill the first article of their moral code was that it should be drawn into the City. A defence has been set up by the document I hold in my hand that at that time there was no similar school in the City of London; but my hon. Friend has disposed of that plea, by telling us that most of the great Companies possessed establishments more or less similar. I am quite certain that neither of the hon. Aldermen behind me is cognizant of the contents of this extraordinary document issued in their name, or, at least, that they were not before it was issued; for it accuses the Corporation not merely of confiscation—a polite word, to which we are so accustomed that nobody would resent its application to himself under any circumstances—and, not satisfied with the liberality of the allowed vocabulary, it says:—

> "The Commissioners do not like being charged with Communism and confiscation; these ugly words apply to their actions, whether they are charitable or not."

Communism is the mild term which is applied in the name of the City of London, I am sure to the horror of my hon. Friend, to the Commissioners acting under and in the name of Her Majesty, because they are endeavouring to bring back to the poor of Westminster that which Lady Dacre intended for them. My hon. Friend was judicious in avoiding a discussion of the scheme, for he knew well that no case was to be made against it, and candidly admitting that in many points it was good, he did not show a single point in which it was bad. He said, indeed, it was ridiculous to apply the uniform test of competitive examination to very young children, which may be the case, but that is not the basis of the scheme. It provides that 60 children are to be freely admitted, and to have the whole cost of their education defrayed. It has been objected that they are not to have the cost of clothing, certainly not a very large objection; the answer to which is, that the Governors have express power to re-imburse the parents in respect of the expense of the children's attending school, and therefore in respect of their clothing. They are to be appointed by the test of merit, ascertained in some form or other. And in order that there may be an obvious and available test of merit, what is contemplated is that they shall be taken who have been for some time in the elementary schools of the country. The daily competition of every elementary school establishes the law of merit among children in every tolerably well-conducted school, and supplies the easiest method of founding the future scheme on a principle which is perfectly fair and just—namely, the test of merit, not too rigidly tied down by competitive examination. Why, Sir, there is not even a shadow of truth in the charge that the Commissioners have drawn away from the poor what was intended for them. I paid great attention to the argument of my hon. Friend the Member for the City on the description and class of persons for whom this establishment was intended; and, without entering into the details, which are rather complicated, I assent to the doctrines he laid down; and I observed that he did not at all say they were contravened by the scheme of the Commissioners. As to the class of persons who ought to be received there is, at this moment, really no question between us. But the quarrel between us is that the Commissioners contend for the principle of merit and the Corporation contend for the principle of patronage. It is very important that the House should know and understand in its own mind which of those principles it prefers. [Mr. CRAWFORD: Selection.] What is the selection? It is the private individual will of each member of the Court of Aldermen. Is he to be liable to any control? By what test is he to act? By his own private judgment? How is it possible the members of the Court of Aldermen can be in a condition to know where the fittest children are to be found for a purpose of this kind? It is, Sir, what is called patronage that is set up against merit. And not only so, but merit is condemned. I will read a short passage well worthy the attention of the House from this document, in which it would appear that in the nature of merit—I never knew it before—there is something sinful. It is hostile to the nature of charity. Charity and merit—according to the document which has been circulated among you to teach you how to vote—cannot go together. You are called upon, it says, on this great occasion to try two most portentious principles or conclusions. The first, which is really overwhelming, is whether the Corporation of London is to be deprived—though no charge is established against it—of the trust which the Foundress confided to it, it not having given the benefit of these schools to the people for whom the Foundress designed them. But the second is this—and I draw special attention to it—whether the great charities of this country are to be suppressed in the name of the law. Why, Sir, the writer must have been almost overwhelmed by the horrible character of the scheme he contemplated. What made him think the great charities of the country were to be suppressed in the name of the law but that the scheme contains the claim of merit—that detestable quality? Here, Sir, are his words—

> "Whether the great Charities of the country are to be suppressed in the name of the law, for that which is obtained by merit of one's own is no longer charity."

That is to say, in the name of the irreconcilable hostility between merit and charity, you are called upon to deprive the people of Westminster of that which the Foundress's executors intended, and which the Commissioners propose to give them; and in the name of the sacredness of Founders' wills, you are called upon to make an exceptional rule on behalf of a Governing Body which in and since the year 1844, and in defiance of the principles laid down by itself in 1819, has in this case distinctly over-ridden the will of the Founders. I venture to say that, under these circumstances, the Commissioners have pursued an eminently temperate and moderate course in so constituting their Governing Body as while they introduce a considerable infusion representing partly the other Charities to be consolidated with Emmanuel Hospital, and partly the people of Westminster through their elected School Board, they have pursued an eminently temperate and moderate course towards the Corporation of the City, deserving a return far different from that which they have received, in granting the absolute majority of the new Governing Body to those who belong to or are directly connected with that Corporation. And I venture to say that a spirit of moderation pervades this scheme. The rights of the people of Westminster, though they may not be of an exclusive character—into that I do not enter—are yet entitled to a great deal of respect. These local circumscriptions ought not to be ruthlessly and wholly disregarded. Let us not be misled in this instance by the experience of the Universities. The Universities, and particularly Oxford, were full of foundations tied down to a particular neighbourhood, and these, as a general rule, were thrown open. That was quite right in regard to grand national and central institutions like Oxford and Cambridge, which enjoy national privileges and powers, and which are intended for the whole country. But in respect to these humble establishments for the relief of want and destitution, or for the giving of elementary, and something more than elementary, education, why, in the world, are not local circumscriptions to be respected? I want to know why you are going to take away from the people of Westminster a portion of that which the Foundress intended for them? Why are you going to stop up the fountain of charity in Westminster by allowing the Corporation of the City of London to step in and take away part of that which belongs to it? That I have proved by documents, which my hon. Friend had not read when he unwarily seconded this Motion. Well, Sir, having said thus much, I need not detain the House any longer. There is a great deal that might be said, and ought to be said, in order to explain the nature of this scheme in detail, but I have confined myself very much to the matters which have been urged against it by the Mover and Seconder of this Motion. I would only say in conclusion one word with regard to the House itself. I own, Sir, it appears to me that there are others concerned in this question besides the Commissioners. First of all, there is the Executive Government. The Commissioners are not the servants of the Executive Government, but the Executive Government accepts a plenary responsibility, just as plenary as if it were original, for the acts of the Commission when it advises Her Majesty to give Her sanction to the scheme. But that is not all. I want to know whether the credit of the House of Commons is not engaged in the course which it is about to take in regard to this measure? You have passed, I understand, 120 schemes of the Commissioners. No attempt has been made to show—and if it were made, it would entirely fail—that this scheme contains any principle whatever which has not been embodied in former schemes, unless you are ready to hold that it is a new principle if it touches the Corporation of the City of London. Sir, I would ask, is the House prepared to recede from its Acts, to alter its policy, to disavow this important statute of four years ago, to discredit the machinery which it has not found ineffective, and which has nowhere been condemned—to discredit and condemn a scheme against which no single charge has been attempted to be made, with the exception of this charge of this change in the Governing Body? Is the House, at the bidding of my hon. Friend, and through the exercise of those influences which are artfully suggested to particular bodies in the country, and innocently, but not very constitutionally, used in order to influence hon. Members in the vote they are about to give—is it in circumstances like these, for motives and on grounds like these, and with respect to a scheme which those who propose to condemn cannot venture to discuss, that this House is to forget and forswear, practically, its own course of action, and to lay down, by implication, a principle to this effect, that all that it has done, all that it has permitted to be done, to these 120 foundations, ought to have remained undone—that even the very plan of the Grey Coat School of Westminster itself, of which this plan is the complement, was wrongly passed, and that now, forsooth, an entire revolution is to be effected, and for the purpose of what? Not, indeed, to vindicate the sacredness of the Foundress's will, not to secure to the objects of the Foundress's beneficence that which was intended for them, but for the purpose rather of consecrating negligence and wrong, and for the purpose of establishing, where, to say the least, there has been, no special fidelity in the execution of the trust, an exceptional law, involving in its essence the principle of a preference which is hateful to Englishmen, and proceeding on the principle that that which is to be applied to every other body in the country, is not to be applied to the consecrated existence of the Corporation of the City of London.

SIR JAMES LAWRENCE: Mr. Speaker—I am sorry to say that the words which we have just heard from the mouth of the right hon. Gentleman at the head of the Government have not only had a tendency to obscure this question, but are calculated to lead the House to a false issue; and not only to a false issue, but to an issue which has never yet been raised; and I desire, in the first place, to clear the question from the fog and mist in which it has been enveloped by the speech which has just been delivered. Now, Sir, the first remarks of the right hon. Gentleman were as to the removal of the Governing Body. I am not aware that that is the question under the consideration of the House; but I am aware that there are questions involved in the consideration of this subject in which the country takes a far wider interest than the mere question of whether the Governing Body shall continue to be the Aldermen of the City of London. The Corporation of the City of London claim no vested rights whatever in Emanuel Hospital. Let that be clearly understood, and I hope also that the House will not allow itself to be led away on a side issue. The great question before us is, whether the House will indorse a new policy which has been inaugurated by the Endowed Schools Commissioners, and that policy —I shall repeat the word which seems to have excited surprise in the mind of my right hon. Friend—a policy of confiscation. It is a policy of confiscation, and it is nothing more and nothing less. The true point—the real question which the House will have to decide by its vote this evening—is, whether free schools which have been founded by private benevolence are to be allowed to exist in this country, or whether a free education is to be given to those only who have received a certain amount of instruction, whilst those who are without education shall be prevented even from entering on the lowest round of the ladder; in other words, whether private benevolence shall be allowed in this country henceforth to establish schools where education shall be free, or whether it shall be insisted that no one shall enjoy a free education in this country, no matter what shall be the merit of the poor child, unless he can compete successfully with the better trained child placed in competition with him. Sir, that I take is the question which the House has to consider; but it is the question which the right hon. Gentleman has studiously kept out of view. The right hon. Gentleman has told us something of the manner in which this trust has been fulfilled by the Aldermen of the City of London, and I am quite surprised that, with the facts before him, he should have ventured to make the remarks that he has addressed to the House. He has sought to enlist the sympathies of those who are in favour of giving effect to the will of Founders; but I will call up in judgment against him the statement signed by his own Solicitor General in the late case of Appeal before the Privy Council—

> "Neither by Lady Dacre's will nor by charter is any preference given to the children of any particular parish or place in the enjoyment of the benefits of the Charity."

Now, having read those words, I appeal to the right hon. Gentleman whether he did not, a little while ago, endeavour to enlist the sympathies of hon. Gentlemen on the opposite side of the House? He claimed their votes because, he said, the Founder's will had been departed from. That was the mode in which the right hon. Gentleman appealed to hon. Gentlemen on the opposite side of the House; and with regard to the hon. Member (Mr. Beresford Hope) who seconded the Motion of my hon. Friend the Member for London, he declared he must have seconded that Motion in mistake, because had he known how the will of the Founders had been departed from he was sure he would not have been found seconding that Motion. But the Solicitor General has emphatically declared that the will of the Founder has not been departed from. Here are his words which I will read again—

> "Neither by Lady Dacre's will nor by charter is any preference given to the children of any particular parish or place in the enjoyment of the benefits of the Charity."

I have said that a good deal of mist and fog has been thrown around this question, and I say that the attention of the House has been attempted to be diverted from the main question at issue. It is no question of the vested rights of Aldermen. It is no question of the continuance of the Governing Body, and with regard to Westminster, so far as the Aldermen of the City of London are concerned, I think I may say that if the Endowed Schools Commissioners had given expression to their views on the subject, and if they had stated that owing to the vast charities of the City the whole of Lady Dacre's endowment ought now to be devoted to the parishes named in Chelsea and Westminster, I have no doubt that such a proposal would have met with their acquiescence. But, Sir, my charge against the Commissioners is that they have put forward a theory which has never been sanctioned by any Act of Parliament to the effect that no gratuitous education shall be given except as the reward of what they are pleased to call merit, which means intellectual proficiency. We have heard with regard to schools at Tunbridge, at Bedford, and at Bristol, and in many other places, the Commissioners insist that no gratuitous education shall be given except as the reward of intellectual proficiency. They have used a word more euphonious. They call it merit, but they do not hesitate to tell you that that means intellectual qualities. Does not this mean—can it mean anything else than that any child in the middle class will, in competitive examinations, always beat the poor and needy one whose early education has been neglected? Where a school is intended for the poorer classes there ought not to be any scheme by which that class is practically excluded. One matter I have not referred to with regard to Emanuel Hospital—that it is not an Hospital in the ordinary sense of the term, but an asylum for the homeless and needy. I have already stated that neither in the will of Lady Dacre, nor in the charter of incorporation, is any reference whatever made to the locality where the children are to come from who are to be admitted into the Hospital. In Scotland—in the neighbourhood of Edinburgh—you find some of the large schools are built a little distance from the City of Edinburgh, and I think it would rather puzzle some of our friends in Edinburgh if the inhabitants of the districts where those large schools are situated were to claim the privilege of having their children educated in those schools to the exclusion of the children of the inhabitants of the city. Well, now, Sir, I will refer to the commencement of the proceedings of the Endowed Schools Commissioners with regard to Emanuel Hospital. You may remember—if not, I must recall it to the recollection of the House—that one of the principal rules which the Act has laid down for the guidance of the Endowed Schools Commissioners is that in all cases where the income of the school amounted to over £1,000 per annum the managers of those schools should have the opportunity of making out their own scheme and laying it before the Commissioners, and that the Commissioners should first consider that scheme before they framed one of their own—that they should consider it before they dealt with the endowment. In view of this rule, on the 28th January, 1870, the Governors of Emanuel Hospital framed a scheme for the improvement of their School which they submitted to the Endowed Schools Commissioners, and I ask the attention of the House to the Commissioners' Report. The reply which was given contains these words, dated the 15th February, 1870, and is signed by Mr. Roby, their secretary—

> "Until more comprehensive inquiry takes place, the Commissioners cannot enter upon the details of the scheme nor can they even determine what is the most useful kind of school to aim at."

Would the House believe that up to the present time no comprehensive inquiry whatever has taken place with regard to Emanuel Hospital? The Governors of Emanuel Hospital, notwithstanding their repeated endeavours, never succeeded in inducing the Endowed Schools Commissioners to carry out the Act either as to its letter or as to its spirit, and to give that consideration to the scheme they had carefully prepared under the provisions of the Act of Parliament. On the 8th July, 1870, the Endowed Schools Commissioners put forward a scheme under which they removed all the Governors with the exception of three, and substituted admission fees of £4 and £6 for one class, and £2 and £3 for another class of children, and £20 for board and £6 fees at a boarding school, in place of the free education and maintenance now given at the School. To the proposal which I have just mentioned the Governors naturally objected, and the Commissioners having fully admitted that their proposal involved the diversion of the trust from the intentions of the Founder, the House of Lords rejected the scheme on the 30th June, 1871. The Queen's Answer was received on the 3rd July, and the Commissioners, five days afterwards—namely, on the 8th July—intimated their intention of persevering with a similar scheme. The Commissioners accordingly drew up a second scheme, in which they increased the number of Aldermen from three to seven, and effected what they themselves admitted to be a considerable improvement upon their original scheme. There is no reason to doubt that by further delay a fresh scheme might be brought forward which would be an improvement upon the present proposals, and which might be carried into effect without alarming the country in the manner that the present scheme has done. If they admit that the argument in the House of Lords tended to improve the scheme that was then proposed, it is probable that the discussion in the House of Commons will still more improve it. The question is—whether the scheme, word for word, and plan for plan, as placed before the House, is the very best one that can be devised? No doubt, the Endowed Schools Commissioners can frame a scheme which will carry out the objects of the Endowed Schools Act and not create the alarm which this has created. They have admitted that if the scheme now under discussion be carried out, many children now being taught in the Hospital will be turned into the streets without compensation. The Commissioners have not only adopted a policy of confiscation, but they have given a new meaning to the word. If I have understood it aright, confiscation usually means taking wealth from the rich, but the Endowed Schools Commissioners have discovered that under this Act they may seize the funds bequeathed for the poor and needy and apply them to other and alien purposes. The Endowed Schools Commissioners have been appointed under an Act of Parliament, and are responsible to the Legislature. This House might therefore express an opinion upon their schemes without calling the governmental departments in question. The Commissioners have gone upon the principle that—"He that hath much shall have more, and he that hath little shall have less." Is this principle to be allowed? Are these funds to be applied to different purposes, and the very children for whom the schools were founded to be told, as they were told by the Commissioners and the Commissioners' friends over and over again, that they must not look to these funds to maintain and educate them for the future, but that they may be educated by the parish in union schools. These are the very words that have been used—in fact it is the use of these expressions throughout the country which has aroused so much indignation. It is not the mere question of Emanuel Hospital, but there is a broader and a wider issue which has to be considered, for there are many cases throughout the country in which schools have been founded for the education of the poor. What has been the history of many of these schools? Look at Harrow, founded by John Lyon, the bricklayer, for the free education of the poor class from which he had sprung. What would be the feelings of John Lyon if he were now to visit Harrow and find that the poor whom he intended to benefit are rigidly excluded? And Harrow is no solitary case. Throughout the country many a man who had left his little town and acquired elsewhere a competence, founded a free school in order that the poor lads of his native place should not have to encounter the difficulties he had himself experienced for want of education. These schools in too many instances have been diverted to the exclusive use of the middle and upper classes. When the Endowed Schools

Act was passed it was everywhere hailed with satisfaction, because it was believed to be intended to correct abuses and to restore to the poor the privileges of which they had been unjustly deprived. It was never conceived to be possible that the aim of the Commissioners should be what they have now openly avowed—to take from the poor the educational advantages provided for them by the Founders of the free schools. This is a Motion which the Government need not regard in any way as reflecting upon them. The Endowed Schools Commissioners are responsible to the House of Commons for their acts, and the House of Commons is at perfect liberty to pass a judgment upon their acts. It is not a question of Liberal or Tory. The whole Christian sentiment of the country has condemned the action of the Endowed Schools Commissioners—the whole Christian sentiment of the country feels itself outraged by what they have done, and I believe that this will exercise considerable influence at the next General Election, if, indeed, it has not had some effect in one or two of the recent contests. The Motion of my hon. Friend the Member for the City of London, is simply a Motion to advise Her Majesty not to assent to the scheme laid before the House, in order that improvements may be made consistent with the Act. I believe that an arrangement can be made by which all needful reforms may be effected; but I cannot help thinking that, unless these schemes are revoked, the hopes of those who expected that children would be taken from the gutter and trained for the University will be disappointed. In point of fact, the children who will reap the benefit of the new schemes will be the sons of those who can pay for tutors to "cram" them, and thus the poor will be deprived of an immense benefit, especially intended for them by the pious Founders of such institutions as Emanuel Hospital.

Mr. BAILLIE COCHRANE: Mr. Speaker, I have been astonished to hear the Prime Minister argue that the House ought not to consider the language of the promoters of these schemes or the general views they have expressed, but ought only to regard the question in the abstract. I contend, on the contrary, that where the conduct of the Endowed School Commissioners is concerned the House may fairly consider their motives, policy, and the grounds of their action. When Mr. Roby declared that after 50 years the wishes and intentions of Founders ought not to be considered he was introducing a principle of confiscation into the country. Instead of offering inducements to good and Christian men who wished to benefit others before they left this world, the Commissioners were putting every possible obstacle in the way of any future religious and charitable endowments. I wish hon. Members would go and see Emanuel Hospital. They would find it an excellently managed institution. The good it has done for two or three centuries cannot be overstated. Suddenly, however, although no complaints have been made of the management of the Hospital or School, a scheme is propounded that not only overthrows it but incorporates it with three other charities with which it had nothing to do, and destroys the principles on which the Charity was founded by Lady Dacre and her brother, Lord Buckhurst. Of the 64 children in the School, 40 are orphans. One is the child of a widow left perfectly destitute with seven children; another is the child of a widow left with 13 children; and another is the child of a widowed mother left with nine children. Generally speaking the children belong to the class of suffering and destitute poor and are not those of the middle class. The right hon. Gentleman has attacked the management of the City of London School, but as a proof of the excellence of that school I will appeal to the testimony of Lord Lyttelton. The noble Lord says—

> "The City of London School presented an example of a great metropolitan school educating a large number of day scholars with distinguished success. It was a great day school in the heart of London having little connection with the Universities, and educating, apparently, with great success a very large proportion of boys who were not intended for Oxford or Cambridge. At the same time the classical and mathematical education given there was so good, that of those who did go to the Universities nearly all distinguished themselves; and in one year (1861) the four chief honours at Cambridge were gained by young men educated at this school."

Then again, Sir, Mr. Fearon, who is also a well-known educationalist, and one of the Assistant Commissioners of the Schools Inquiry Commissioners, says—

> "The City of London School is an admirable institution, and as near perfection perhaps as any very large school can be."

Now with regard to the excellence of the Emanuel Hospital School, we have the unsolicited testimony of Sir William Wright, the Chairman of the Hull Dock Company and one of the magistrates of the East Riding of Yorkshire, who, in a letter to the Lord Mayor of the 25th of April, 1871, said—

> "I cannot resist bearing my testimony to the judicious and careful way the Brandesburton Estate has always been managed. The erection of schools by the Trustees of Emanuel Hospital in the parish testifies to their care and attention when education in rural districts was not general. They have often been referred to as an encouraging example to others, and have been useful in a considerable degree by their good example in causing others to erect schools. I can bear my testimony as a magistrate for the East Riding to the value of these schools in a moral and social sense. I should be sorry to see any change made in the management of the property. I have no personal interest in the matter, direct or indirect, and simply give my opinion as a perfectly independent looker-on."

I therefore ask, Sir, why we are to have this great change? The school has been carried on with admirable results, and the scheme of which we complain is in no respect needed. In spite of what the right hon. Gentleman has said I think we have great reason to mistrust this kind of legislation, of which we have already had too much. It is somewhat remarkable that the first thing which a Republican Government always indulges in is spoliation. They usually commence with the Church, and then they proceed to deal with religious establishments. I do not believe that advantages greater than those realized under the existing system can be obtained by the change; but whether that be so or not, I contend that we have no right to do what in effect will amount to making Acts of Parliament a basis for more spoliation.

MR. BRAND: It was not my intention when I came down to the House this evening to take any part in this debate, but as the hon. Member for the City of London pointedly alluded to me in the course of his remarks, I feel bound to say a word or two in my own defence. The hon. Gentleman stated that, according to some of the reports that he had seen, I had, on taking the chair at the meeting held at Westminster on a recent occasion, laid claim to being a lineal descendant of the Foundress. I dare say that the hon. Member has sometimes suffered, as I myself have, from ill-founded report in the course of his public life. I never stated any such thing on the occasion in question; in fact, I was very careful indeed to state accurately the reasons why I did take the chair, and what I said was that I wished to decline the honour, but that the special interest I felt in the Charity, owing to an accidental family association, induced me to accept it. The hon. Gentleman went on to say that the people assembled at the meeting at Westminster laid claim to the benefits of this Charity as a special right of theirs, and that I encouraged them in taking that view of the question. I do not retract one single word that I stated at that meeting. The hon. Member for the City of London alluded to the will of Lady Dacre, and in that will will be found the following words, at the commencement of it, or nearly so:—

> "And whereas my lord in his lifetime and myself were purposed to erect an hospital in Westminster or in some other place near adjoining thereunto and to grant one hundred and ten pounds in money towards the building and edifying thereof and forty pounds a year in lands for ever towards the relief of aged people and bringing up of children in virtue and good and laudable arts in the same hospital, whereby they might the better live in time to come by their honest labour."

If he will read that in connection with what follows, he will see what the evident intention of this lady was:—

> "And for the perfecting of our said purpose were minded to become suitors to the Queen's Most Excellent Majesty for her princely incorporating of the same hospital for ever. To the end therefore that the same may be done accordingly with a further augmentation, I will and devise that my said executors shall cause to be erected and built a meet and convenient house with rooms of habitation for twenty poor folks and twenty other poor children."

If you look at the words, you will see very clearly that the intention of this lady was that this Charity should be applied to the relief of people and to the benefit of children whose parents resided in Westminster. Sir, I said at that time that if I was asked whether the funds of this Charity had been applied in past years for the benefit of the poor of Westminster, or even for the benefit of the poor in any part of England, I should answer both those questions in the negative. It has been clearly shown by the right hon. Gentleman at the head of the

Government, from the will of Lady Dacre, that her intention was that the poor of Westminster should be the objects of her bounty. The words of Mr. Fearon show distinctly that the funds of this Charity have not been applied to the poor especially. He says no doubt that certain reserved cases would receive due consideration at the hands of the Commissioners, but there were certain people who were sure to get their children into the Charity. This Charity was originally intended for the relief of 20 poor people and the bringing up of 20 poor children. Since that time the property of this Charity has increased very greatly, something like 40-fold; the population of Westminster has increased enormously, and yet now there are only 29 Westminster children being educated in the school. I will, with the leave of the House, just point out the case of William C———, Brandesburton, farm-bailiff, at wages of 16*s.* per week, six children dependent; William S———, Brandesburton, farm-labourer, has nine children, seven of whom are dependent on him; George R. G———, Brandesburton, agricultural labourer, has nine children, five dependent; average wages, 15*s.* per week. And if hon. Members will be good enough to look at the Report of Mr. Fearon, or to the paper which has been sent to them this morning, they will find that, with individual exceptions, the children are not of the class which Lady Dacre intended to benefit. It has been stated that the children educated at this Hospital are persons of the class that Lady Dacre meant to benefit. I deny that entirely. Lady Dacre never made any mention of the Corporation of London; she never appointed them trustees, but they were appointed after her death. I much wish that this question could be dealt with fairly; but the hon. Gentleman, acting, I presume, upon the advice of the Corporation of the City of London, or upon the advice of the solicitor of that Corporation, has shirked the real issue in this case, and he has brought a general charge against the Commissioners; and therefore I would ask the House, or I would ask the hon. Member for Westminster, whether he thinks it is fair or just with respect to the people of Westminster, that this scheme should be repudiated by this House simply because hon. Members are not pleased with the general conduct of the Commissioners. The Corporation of London is a very powerful body and a very wealthy body, and certainly in the performance of its proper duties commands the respect and admiration of the world; but I am surprised that the Corporation, a powerful and wealthy body, admirable in the discharge of its proper functions, but certainly not fitted for the management of education, should resent so keenly the loss of some little, miserable patronage. I must express my surprise at the discreditable, I might almost say the disreputable opposition shown by this Corporation at the bare thought of an improved state of things in respect to the management of this Charity. As long as the education given in this establishment was one purely of an elementary character, there could be no objection raised; and Lady Dacre, as far as she could, gave the means for that education to a few people in the City of Westminster; but now things have changed with the times, and an Education Act has tended to place within the reach of every child the means of education. I stated the other day that I heard a working man say—"What we want is elementary education, and also, if we can have it, I want to see that the most deserving of our children should go step by step up the ladder." Primary education was the want of the working classes at the time that Emanuel Hospital was founded, but this being now provided by the State, their want, as was remarked to me by one of their number, is secondary education with a ladder of schools whereby the most deserving can reach the Universities, and this involves selection by a test of merit, such as the scheme of the Endowed Schools Commissioners proposes. I am glad to see that the hon. Member for Westminster is coming into the House, and I will therefore take this opportunity of saying that I found that there was one feeling amongst the people at that meeting to which I have referred—it was an open meeting—there was one feeling, and it was this—that these people thought that this Charity was a right of theirs; that the Founder intended the Charity for Westminster, and that they did not wish to go down the Strand through Temple Bar, cap in hand, and ask for a favour which they believed to be their right and which they believed to be the right of their children. Therefore, the fact of the matter is this—that the Court of Aldermen are merely fighting to retain their patronage. To my mind it has been shown clearly that the special constitution of this Governing Body should be changed, not only because the present Governing Body has shown itself in the past signally ignorant of the educational wants of the working classes, but also because of the better organization of this Charity for the future. I say that the Corporation of the City of London has diverted the benefits of the Charity to outsiders, and has shown ignorance of the benefits of the working classes. Well, Sir, I think the House has already declared that when any benefit can accrue from a change the Governing Bodies of these Charities ought to be changed. In the present instance the Governing Body will retain the control of the alms-house and one-third of the funds. As far as that part of the Charity is concerned Lady Dacre's intentions will be carried out under the changed state of circumstances. Sir, in conclusion I must say, that if the Motion of the hon. Member for the City of London is accepted by the House I shall look upon it with great regret, and I shall feel that the influences which have been brought to bear upon hon. Members by the Corporations of various cities have induced them for once to forsake the principles of political freedom.

MR. DICKINSON: Mr. Speaker, I cannot help saying that I think a Motion of this kind ought to specify the obnoxious parts of the scheme, so that the Commissioners might be able, as was the case with the Resolutions of the other House in 1871, to endeavour to meet them. Unless these points are stated the Governors cannot meet the difficulties that they have to contend with—they are not in a position to do so without these points are stated upon which objection is taken to the scheme. When this matter was before the House last year, two objections were made to the scheme. One was that it would divert a large portion of the endowment from the education of the poor, and secondly, that there was no charge whatever made against the Lord Mayor and Aldermen of the City of London in respect of the management of the affairs of this Charity. The objection which was taken on the former occasion that the funds would be diverted from the education of the poor has not been repeated to-night, having, as far as we can see, been remedied, and the only remaining objection appears to be the change in the Governing Body. Well, Sir, I think, that taking into consideration the exact state of education in Westminster with the various foundations existing there, the very best way of dealing with these educational endowments is that which is now proposed by the Endowed Schools Commissioners. The intention of the Founder of those institutions was to secure for the poor of Westminster education, and that a good one, and having regard to the altered circumstances of the present time I am decidedly of opinion that that object will be more effectually attained by the scheme which is now proposed by the Commissioners, than that which has been propounded by the Corporation of the City of London. Sir, under these circumstances I do most earnestly entreat the House not to adopt the Resolution which has been proposed by the hon. Member for the City of London.

MR. J. G. TALBOT: Mr. Speaker, in the first place I am a member of the Committee upon the Endowed Schools Act to which allusion has been made as sitting upstairs, and therefore I speak with some degree of reserve upon the subject now before the House. My connection with the Commissioners is such that it is disagreeable to me to speak upon such a subject as this; but in asking the House to listen to me for a few moments, I am acting more with a view of stating the exact position in which I stand, than from a desire of going fully into the question before the House. Before going into the matter I would say that the case of St. Margaret's Hospital is bound up with that of Emanuel Hospital. If the scheme for Emanuel Hospital passed, it would necessarily follow that the scheme for the other would pass also. But I must say I think it would be better if the sanctioning of the whole of those schemes could possibly have been postponed until the House had before it the decision of the Select Committee upstairs. Now, Sir, the right hon. Gentleman the Prime Minister has charged the Corporation of the City of London with having neglected the interests of Westminster, in the management of Emanuel Hospital. But the Corporation of London have the right to frame such statutes as they please under the charter, and they do not quite deserve all the hard things that the right hon. Gentleman has thought it necessary to say of them. I will, however, with the permission of the House, leave the Prime Minister and the First Lord of the Admiralty to fight out that matter between them. With regard to St. Margaret's Hospital, it was founded by Charles I., and notwithstanding that it does not technically come under the 19th clause of the Endowed Schools Act, nevertheless it can be hardly supposed that Charles I. would have chartered any institution to teach any other religion than that of the Church of England, to which he was so much attached. And, therefore, it is thought we should be justified in asking the House to refuse assent to that part of the scheme which relates to St. Margaret's Hospital, because it does not carry out the intentions of the Founder. It will be in the recollection of hon. Members that in the last edition of that much debated scheme a clause gave a certain number of wholly free exhibitions, and also a certain number of partially free exhibitions, for people residing in St. Margaret's and St. John's, Westminster. But it is uncertain whether the Governing Body of the new schools will have any funds out of which to provide those exhibitions, which are to be dependent upon the success of the new schools. New schools outside of Westminster were to be set up at an outlay of £15,000—a very large expenditure of capital—and if the schools do not pay there will be no funds to provide exhibitions for these children. Well, Sir, I look upon this scheme of the Endowed Schools Commissioners as a gratuitous instance of change for change sake, and I will now give some of the results of the management of St. Margaret's Hospital for the last few years. The endowment was a small one, and therefore the number of boys is not very large; but the Master of that Hospital has informed me that out of that number 38 have obtained situations as clerks, and in similar capacities, the majority of whom are doing well, and some of whom have succeeded in reaching good positions. One of them is assistant accountant to a railway company, another is ledger clerk in the London and Westminster Bank, another is private secretary to a nobleman, another is junior clerk to the Endowed Schools Commission, and so on. It appears to me that the Governors of this Charity are doing straightforward, honest, and successful work for those who are committed to their care; and yet, forsooth, it is proposed to take that work out of their hands, and to place it in the hands of a new, untried body. Amongst the 22 children now in the school there are eight who are sons of widows, and I believe there is not a single instance of jobbery in any of the nominations. Now, Sir, it appears to me that if the present Governors are doing a work humble, but so far successful — it appears to me that if they have not been guilty of any malversation of the funds—it appears to me that if they are carrying out to the best of their judgment the intention of the Founder, it is hard to say to them—"Your time has come, you shall be done away with." Sir, under these circumstances, I do trust that the House will not give its sanction to the scheme of the Commissioners.

Mr. A. JOHNSTON: Sir, the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) made some very general remarks to the House. He quoted some documents which he said he had never read, and he produced one which was full of the names of the recipients of these charities which being given only in initial it was of course impossible to remember. I will mention one or two points which I believe did not occur to either the hon. Member for the Isle of Wight or any other Member. It has been objected to the scheme of the Commissioners that a large sum is to be spent in building, which will be wasted if the school does not turn out successful—that if money is spent and the school does not turn out to be successful that money will be wasted. The Governing Body is proposed to consist of the Lord Mayor and Corporation, and partly of the gentlemen who have given their attention to it, being nominated by the Westminster School Board. If the Governing Body in that way cannot make it a success, I really do not know what can. When it is said that a large sum will be spent in building which would be wasted if the school does not turn out successful, I ask, may not the same objection be levelled at other schemes; for instance that of the Corporation, in which it is proposed to spend £20,000 in buildings? Every precaution is taken for the scheme of the poor. The hon. Gentleman says that the government is entirely taken away from the present Governing Body of all these schools, and he goes into an elaborate argument about amalgamation, which I must also notice later. The hon. Member for the City of London (Mr. Crawford) speaking on behalf of the Corporation confines his remarks chiefly to a denunciation of the way in which the school has been converted from a poor man's school to a rich man's school. He certainly did seem to bring that forward as an argument in favour of the old Governing Bodies as against new ones. Well, now, it seems to me to go entirely the other way. The conclusion of his speech was a terrible warning to us not to vote against this Resolution lest it should prejudice us at the next election. I did not come into this House to regulate my conduct upon whether I could keep my seat or not, by voting in a particular way, but I came into this House to propose and to vote what I thought was right, and those arguments, I must say, are entirely lost upon me, as I hope they are on everybody else. Now, Sir, the hon. Member for West Kent (Mr. J. G. Talbot) is the first Gentleman who has confined himself to the details of the subject at present before the House. We have nothing whatever to do on this occasion with the general policy of the Commission. There might be some excuse for saying that the mainstaple of this debate, if not the great debate upon that subject, is pending over and must occur within six months; but we are not here to criticize the utterances of individuals amongst the Commissioners or those who have been speakers at private meetings, the Society of Arts and so forth. I regret some of those utterances myself as well as anyone, but I certainly cannot see their applicability to the present debate. The chief charge which was made against the scheme on a previous occasion, but not so much to-night, is that it takes away the endowment from the poor and gives it to the middle-classes. Hon. Gentlemen who think they have read these schemes and studied the real facts of the case—I cannot understand it—anything more false upon the face of it cannot be conceived. It has been said —"By the poor we do not mean the ordinary poor, we mean the very poor." I could show you a large number of shops and dwellings which evidently are in the hands of substantial people, and I can show one or two in the hands of wealthy people, the shops being very much above the usual character of shops in the district; the children of those parts are in the school. It does not give the number of children admitted to any other but elementary schools. Upon looking into it you will see that where a man has three children he has got two in one school and one in another. It is said there are poor people in all classes. That is perfectly true. Well, then, Sir, with regard to the districts which are to be affected, the hon. Member for West Kent told us that the Corporation of the City of London had a perfect right to divert the benefits from Westminster and give them to other places. If the hon. Member for West Kent had listened to the speech of the Prime Minister he would have heard him admit that they had a legal right to do so. It is quite true that very often it is desirable in reforming these foundations to extend the areas. The scheme provides that one-third of the scholars should be orphans, and one-third children from elementary schools; and surely it cannot be contended that the rich put their children in elementary schools! Considering that the College was planted in the midst of a population of 137,000, I apprehend that no reasonable ground can be urged for extending the area, so as to include the City which is already gorged with endowments. I hold in my hand a list of 17 parishes in the City of London, and their average population is 181 men, women and children, and their total charitable endowments are £1,291 a-year. Well, now, Sir, not one of those parishes has applied to the Endowed Schools Commissioners for schemes to provide for the education of City children—not one of those parishes to every one of which Section 30 of the Act was open, and which might have come to the Commissioners for a scheme, and to divert a scheme from those endowments, which are frightfully wasted—not one of them has taken advantage of that section of the Act of Parliament—not that they had not the example before them.

And when my hon. Friend the Member for the City spoke of the grocers' scheme, I can hardly believe he has read that scheme, because that scheme is, indeed, a noble scheme—they devote £30,000 partly from funds over which they have control, and partly from useless and mischievous tolls—they have created a second or third rate school open without favour, and without patronage—without reserving any patronage whatever in respect of it. It seems to me that that is an example which the parishes to which I allude and the Corporation of the City of London might well follow instead of seeking to appropriate the poor man's ewe lamb. They will not use their own endowments which the law allows them to do for the purpose of giving education—they will not take advantage of that which they come whining to us to do. The hon. Member told us of a rich man who had a large flock of sheep, and he wanted to entertain a stranger. He declined to kill his own sheep, but went to his neighbour and took away his ewe lamb from him. That is the story which has always occurred to me in considering a matter of this description. The City of London School has been quoted frequently enough. The City of London School is an admirable school. It has been created out of a small portion of some funds which were originally left entirely for the education of four poor boys. Part of those funds is devoted to the City of London School, and another part goes nobody knows whither; but if it was legal to make it into so good a school that it retained boys to the age of 18 or 19, and actually even till they obtained a scholarship, how can they say we are robbing the poor? Well, then, there is the subject of selection, and we are told that these are details, and that the question is whether eleemosynary principle is to apply. I wish hon. Gentlemen to think a little of this. It does not mean as has been constantly, and without sufficient reason, asserted, mere intellectual capacity. It includes honesty and good conduct; and it is necessary again to repeat what has been repeated before, because it seems to make no impression upon hon. Gentlemen—that this is not a question of competitive examination. The real issue is whether pupils are to be selected by some responsible body or by irresponsible patronage. Selection by merit, which I construe as including honesty and good conduct, as well as mere intellectual ability, stimulates both parent and child; but, on the other hand, selection by private patronage fosters idleness on the part of the child, and neglect on the part of the parent. It is open to them in every possible way to ascertain the children who are the most deserving, and that is what is meant by merit; but it has been so constantly repeated that that admission is only to be by competitive examination that I almost begin to think that the people will begin to believe in it themselves. I am not here to condemn competitive examination. It may be a very fine institution; I have nothing to say against it. It is a mere bugbear to lead us away from the real issue, which is this, as I said just now, whether the election is to be made from a responsible body acting together upon some recognized principle, or whether it is to be left to the irresponsible patronage of individuals. Now, Sir, I really was astonished to hear the right hon. Baronet the Member for Lambeth say that concessions might be made in this matter. I certainly was under a different impression altogether. I was under the impression, and I am so still, that if the Governing Body were modified in accordance with the recommendations of the Commission all would follow straight. Then is it too much to ask that the interests of Westminster, and the interests of education, pure and simple, should be represented on the Governing Body of this Charity? I am very doubtful myself as to the advisability of vestries controlling either this or other schools. It appears to me that filtering it through the Westminster School Board for instance is an admirable means for combining the representation of the locality with the representation of the educational requirements of the country. I believe that if that had been conceded we should never have heard of this Motion of my hon. Friend, and no doubt the Commissioners for their own peace of mind would have been very glad to have conceded it; but it seems to me that in interpreting the Act they had no choice, and that they were actually required to bring into light new schools, and to take a body organized for the purposes of school management, and not a body elected by a body of ratepayers already overwhelmed with duties which they perform gratuitously enough. We have heard it said that in the case of the Grey Coat schools the school board had some difficulty in finding gentlemen ready to undertake the duty belonging to the Governing Body. That difficulty is met by the scheme. Now, Sir, it appears to me that the hon. Member for West Kent has devoted the most argumentative part of his speech to argue against the amalgamation. For my part, I have heard with regret the opinion expressed against the amalgamation of neighbouring endowments, for by such amalgamation, besides gaining efficiency and unity of management along with economy of management, you also make it possible to carry out a due gradation of schools. I was very much surprised to hear the words that fell from the hon. Member for West Kent upon this part of the subject, because we all know that the hon. Member for West Kent has given a great deal of attention to this matter—the interests of education. I was very sorry to hear him give the weight of his authority to the scheme for the amalgamation of neighbouring foundations.

MR. J. G. TALBOT: I beg your pardon, I do not object to amalgamations, but to being amalgamated.

MR. A. JOHNSTON: There is community of management and efficiency to be obtained, but that is a small part of the benefits you gain: the possibility of carrying out what is so much desired by all educationalists—the improvement of schools. You are unable to separate in three different ways between girls' and boys' schools, between boarding schools and day schools, and between two or three Greys and middle-class schools. It is with immense difficulty that this is ever carried out. In the case of schools in small country towns, the difficulty of altering the class of school is almost insuperable, but here the foundations are all together, and when there really was no argument that would hold water at all brought forward against amalgamation, I should have hoped that the public spirit of the Corporation of London—a great Corporation which has done great things in former times—would have risen to the idea of carrying out this plan of gradation and classification instead of putting forward its power and wealth and influence to defeat instead of to support a scheme so beneficial to the poor and to the interests of education, and that upon the miserable plea of the value of these endowments, which are worth about £1,000 a-year. Now, Sir, I have only to advert to one more matter before I conclude the observations which I have to make to the House. If those Founders could be amongst us at this time, I think they would be the first to cry out—"Save us from our friends." I say this with regard to the Founders upon whose intentions such stress has been laid. I think if they could look up they would be the first to make that outcry. I think they would be pained to see how their intentions are disregarded. They, no doubt, started that kind of school which was the best for the interests of the poor, and of education in their days. But, Sir, I ask the House—is it likely that 300 years could elapse without seriously modifying the state of things. And do we not know—is it not notorious to all of us that the state of things is very much changed? And would not these pious Founders be shocked if they could be told that in this 19th century their foundations were to go not to benefit the poor, but to save the rates or the subscriptions, as the case may be, of a few comparatively wealthy individuals. Now, Sir, the word confiscation has been very properly used in the course of this debate—so frequently that, as the Prime Minister said, we have ceased to care much about it. But if that word is to be used it ought rather to be used with respect to the way in which these funds are now being used than with respect to what is contemplated under the scheme. I will not mention names or places, but I heard a conversation the other day, which I will mention to the House. It was this—one person said to another—"Well, there is such and such a foundation which does nothing on earth but save Mr. So and So £200 a-year. I think it scandalous." Another gentleman said—"I think it scandalous the other way—to take it away from him." Well, now, Sir, was it the wish of Lady Dacre that this foundation should be applied to teaching children to earn their living by honest labour? It was. It was the wish of that good lady. I believe that everybody who has given patient attention to this subject, or the vast majority, consider that this hothouse system of taking children into hospitals, clothing them, feeding them, and educating them, and taking the charge of them entirely away from their parents, is the very worst system that can be adopted for enabling children to fight the battle of life. If education is to be only elementary, we are distinctly lowering the ordinary type of education instead of raising it to those poor children, and then we are told we are following the Founder's intention. It is not the Founder's intention, and it flies entirely in the face of the Schools Inquiry Act—it is the fashion rather to call the Commission the conclusions of theorists and doctrinaires; I should rather call it the conclusions of those best qualified to judge, who, after long, patient, laborious investigation of a vast mass of facts extending over 800 schools, are better judges of what is wanted for education and for the poor than any isolated or small body. Well, then, Sir, we are told by the hon. Mover, and his remark was cheered from this side of the House that the greatest fallacy was acting adversely to the wishes of benevolent donors. What, however, can be more encouraging to those who wish to give money for the benefit of the poor than to know that henceforth the State will not allow these foundations to lapse into a condition of neglect, but that they will be kept practically useful, according to the wants of the time? Was there ever a time in the whole history of England, when such noble foundations have been made as within the last 10 years. Without speaking of the munificent gifts of Mr. Peabody, I may mention the case of a lady, whose will was made within 12 months ago, who has left, besides enormous benefactions in her lifetime, no less than £60,000 in charitable foundations. I may mention that at the town of Bradford the other day, no sooner had the scheme of the Endowed School Commissioners become law than a gentleman came forward and added a donation of £6,000 to the funds of the school there. Another instance came before me lately in which a gentleman gave a sum of £15,000 for educational purposes, and one of the very few conditions which he made was this—that the foundation should be overhauled by the Charity Commissioners, or by some similar body every 50 years, and applied to the best uses to which it could be applied. The fact is that benevolent persons are not deterred by any such apprehensions, but are still giving largely to educational foundations, and such cases dispose conclusively of the argument that Founders would be scared away by well-considered changes like that which is now proposed. Now, Sir, in my humble judgment, the importance of the real question that the House has to decide, cannot be exaggerated. If every hon. Gentleman who is going to vote to-night had read the vast mass of correspondence which is showered upon us every day—if they had time to study it carefully, I should have had no fear whatever for the result. I do not often trouble the House, knowing the impossibility that Members should fully inform themselves, I felt bound to say a few words. I admire the Corporation of London as a public body. I have no interest one way or the other. I have a great many friends in the Corporation of the City of London. I admire them as a public body. The Endowed School Commissioners I know nothing of officially, and all I know is this that they have turned me off the only Governing Body to which I ever belonged; but I have a great interest in the cause of the poor and in education, and for the poor I plead; and I applaud the advice given to the House on the first night of the Session by the right hon. Member for Buckinghamshire—to remember that it has to fulfil the functions of a senate as well as those of a vestry. It appears to me that if we agree to the Motion of the hon. Gentleman we shall be, not indeed fulfilling the functions of a vestry, but ministering to those narrow views and paltry ends that have so often made the word "vestry" a byeword, and I should be unable to adopt the usual philosophic consolation—"It will be all the same 50 years hence"—for I shall go home in a melancholy frame of mind. [*Laughter.*] Hon. Gentlemen seem to rejoice in my grief; I have no inclination whatever to do so in theirs, but I certainly shall go home without being able to apply that philosophic consolation to myself. When hon. Members laugh, all I can say is that I should feel for them sincerely were they placed in a similar position. It is, Sir, a most painful thought to me that the interests of Westminster, of education, and of the poor, are at stake to-night; and the effect of this vote will be felt, perhaps, when we are forgotten, but when the injury which will be done by the vote of the House will be past recalling.

MR. M'LAREN—Mr. Speaker: I shall give my vote to-night with very great goodwill in favour of the Motion of the hon. Gentleman the Member for the City of London thinking that the bequest was intended for the poor and that the scheme was for the benefit of a higher class, as I consider it the duty of the House to prevent the diversion of the few endowments still enjoyed by the poor. Sir, as far as I can understand the matter, it appears to me that the Government has helped to thwart a scheme for extending the income of Heriots' Hospital, Edinburgh, which was bequeathed specially for the poor, to other classes and other objects. The principle of the present scheme being the same as was put forward in that case, in my humble judgment it ought likewise to be set aside. Sir, it is for these short reasons without going further into the question that I shall feel it my duty, without hesitation, to support the Motion of the hon. Gentleman the Member for the City of London.

MR. W. H. SMITH: Sir, in rising to address the House, on the question before it, I beg to say that I think Westminster ought to be represented on the Governing Body, and I believe it is on the whole expedient that these four educational charities should be rearranged in the interests of the poor, for whom they were designed. It might have been better to leave Emanuel Hospital distinct and to consolidate the other three; but I do not object to the scheme on that ground, and my sympathies are rather with the hon. Member for Edinburgh (Mr. M'Laren) than with the hon. Gentleman who has brought forward the Motion. It seems to me, Sir, that the real issue is not whether it is expedient that the Corporation should be Governors, or whether its scheme is a good one, but, rather, whether the scheme of the Commissioners is really the best that can be devised, and I further think that it should be tested by the direction of the Founders "that children should be brought up in good and laudable arts, whereby they might better live in time to come by honest labour"—a design which is consistent with public policy and with modern views, except, indeed, the notion of some that education bestowed on the poor otherwise than on the principle of competitive examination is injurious rather than beneficial. A dull and stupid but respectable boy, has, perhaps, a stronger claim than a quick intelligent boy, for without a regular school training he would have little chance in the world. The action of the Commissioners I admit has been beneficial in many cases; but, Sir, I object to their scheme as a diversion of the large sum of £10,000 of the funds from the poor. Let me call attention to the fact that Mr. Fitch, reporting in 1870 on King Edward's School, Birmingham, which was designed for the poor, stated that it was attended by children of the lower middle class who paid nothing, while the poor for whose benefit it was originally intended went to other schools where they had to pay something like 2*d.* or 3*d.* a-week for such learning as they got. At first sight that may appear to be hard upon the lower classes, but the fact is that to a great extent they are self-excluded from the benefits of the free school. There is a strongly marked tendency on the part of all classes to separate themselves from other classes in matters of education. Thus well-to-do people will not send their children to schools where a large proportion of the scholars are taken from the lower classes, and the lower classes cannot afford to allow their children to attend schools where a good education is given for a sufficient time to profit by it. But in the face of this fact the scheme of the Endowed Schools Commissioners proposes, that while a large number of children of the lower classes shall be freely admitted to the day and boarding schools to be established under it other children are to pay £25 per annum for being educated in them. Now, Sir, though I fully appreciate the spirit that prompts this desire to bind the two classes together, I feel that the proposal is an impracticable one, and will result in transforming the schools into middle-class schools, and in depriving the poor of Westminster altogether of the benefit of the endowment. Then, Sir, under another part of the scheme it will be open to the Governors to put into the schools orphans, not from Westminster alone, but from any part of the kingdom, which I hold to be contrary to the intention of the Founders who intended that the benefits of the charity should be confined to the children of the poor of Westminster, Chelsea, and Hayes. I regret that there is not some intermediate tribunal between the Endowed Schools Commissioners and this House before whom questions of this kind could be discussed and settled. I look upon the appeal to the Privy Council in reality as a mere nullity, because that body can only deal with the question whether or not the Commissioners have exceeded the powers which the Act of Parliament gave them, and cannot enter into the merits of the scheme which they have originated, and which was objected to by those who are interested in the endowment affected by it. I think that it would be quite practicable for the Commissioners to frame some scheme under which the children of the poor of Westminster, Chelsea, and Hayes may obtain the benefit of free education, and under which the right of patronage might be transferred from the individual Governors to a Board who would be instructed to judge of each case by its merits. I think, Sir, the House will agree with me that in this way children might rise step by step from the national and elementary school, and ultimately to the University. In conclusion, therefore, I would call on the House by its vote to-night, not to allow the intention of the Founder of this Hospital to benefit the poor of Westminster to be departed from.

Dr. LYON PLAYFAIR: When we consider the efforts which both sides of the House have made to secure a full attendance, it is obvious that there lies behind the Motion of the hon. Member for the City of London (Mr. Crawford) much more important issues than the existence of Emanuel Hospital. The issues which he has raised are calm and reasonable. He asks us whether there is any justification for interfering with the purpose and management of the Hospital, and whether its present system does not provide for the poor and needy better than the proposed scheme of the Commissioners. I need not remind the House that the reiterated allegation of confiscation is a complete misunderstanding of the elementary principles of law. A public trust in property has no analogy to the rights of private possession. The Lord Mayor and Aldermen are mere trustees, not even appointed by the Founder, but by Queen Elizabeth. The State, when it passes over a trust, still remains supreme trustee and may alter it according to public necessities. The Municipal Act of 1835 passed over educational trusts from the municipalities to distinct bodies of trustees, but no one called that confiscation. The Corporation of London, by its power, got itself excepted on that occasion. The Governors were the first to initiate reform in 1870, and they were perfectly justified, for public opinion was united in condemning the hospital system. Here is Emanuel Hospital, with £2,300 a-year, teaching 64 children, no better and no worse than an inspected elementary school, which would contract to do the educational part of the work for £29 a-year, or at 9*s*. per head. That is the value of the educational advantages offered to the children under all the baneful influences of hospital life. They live in contact with alms people, immured in monastic seclusion, cut off from home influences and home affections, respecting neither themselves nor their parents, who have cast off on others their parental duties and obligations. What has been the outcome of Emanuel Hospital from the time of Queen Elizabeth to this year in the reign of Queen Victoria? There is not a parish school in Scotland with £100 a-year from rates which could not point to a roll of boys who have risen in the world through its educational influences. Where are the laurels to grace the brows of the Aldermen in the management of Emanuel Hospital with 20 times that endowment? The Papers sent in for our information admit that it has not contributed to the intellectual advancement of the scholars. But we must not blame the Governors so much as the Hospital system for this failure. Boys in hospitals become stunted in intellect, dwarfed in morals, and destitute of individuality and independence. When the Governors proposed reform they acted rightly; but they acted wrongly and unfairly in attributing to the Commissioners a want of consideration for the wishes of the Foundress, when their own scheme violates her intention far more profoundly. Adaptation of original designs to existing necessities is the truest method of carrying out a Founder's intentions. The Governors in their first scheme demand superiority over that of the Commissioners by a more distinct recognition of religion. They even give the form of prayer which the school children are to say each night before going to bed. If the subject were not too sacred, I would read that prayer to the House, because it betrays, in a remarkable manner, the spirit of subserviency in which the children are brought up. The children are ordered to pray that they may meet the worthy Governors, the Lord Mayor and Aldermen of London, in the heavenly kingdom. As I shall show, from their own words, that the Governors have no intention of allowing these poor scholars to rise to their own level on earth, the hope expressed in this prayer may contain in it a consolation, but it savours much of that more popular form of prayer for village schools—

> "God bless the squire and his relations,
> And help us in our proper stations."

This spirit of subserviency is betrayed all through the printed Papers. I quote in their own words the object of the school—

> "Hewers of wood and drawers of water would still be wanted, and in properly educating such to gain their living by their honest labour, as Lady Dacre directed, Emanuel Hospital is fulfilling its proper function in the work of education."

Now, here the Governors put a very humble, and, as I think, unjustifiable interpretation on Lady Dacre's words, which are that her school shall be "for the bringing up of children in virtue and in good and laudable arts." These are words quite as capable of a large and generous, as of a low and contracted interpretation. But the Governors defend their view by a sentence which, as it is the essence of their opposition, I commend to your special attention. They say—

> "We are charged with having made no attempt to make the school the means of eliciting superior qualities and promoting the possessors of them. We freely admit the charge, and we should hold it to be a breach of our trust to divert the bounty intended for the poor and destitute for the purposes of higher education. This is the question between the Commissioners and ourselves."

You will observe that this sentence contains a *non sequitur*. You may have poor and destitute, and yet you may give them a higher education. But the Governors would still reply—"We glory in not having done so, for our school is for the hewers of wood and the drawers of water, and it is not for us to care for their intellectual development." Yet, with singular contradiction, their first scheme provides for an upper school in which Greek and Latin, French, German, and mathematics, are to be taught —a wonderful education for hewers of wood and drawers of water. But as their new schools are to be transported to a genteel suburb of London, perhaps they contemplated a school for the gentlemen of the neighbourhood. If so, these shrieks of plundering the poor will have little effect upon us. Struck by the inconsistency of their argument, this higher school disappears in the new scheme of the Governors, who dive again into low education. Well, if they revert to the policy described in that remarkable sentence which I read, I say without fear of contradiction in this House, that the Lord Mayor and Aldermen ought to be deprived of exclusive management of educational endowments for the poor. The Corporation of London is ancient, and such ideas of education are very ancient and obsolete. They are as antiquated as some of the statutes of Emanuel Hospital itself, for in these I find careful provision made for expelling the inmates when they commit sorcery or witchcraft, or when they have had their ears or limbs lopped off by the executioner. Well, but that was the position which the Governors have taken till a few days ago in the piles of documents which they have heaped on us. But last Friday they issued a new paper, in which is a letter to the Commissioners renouncing this glory of their past management. In this they say—

> "In deference to the views which the Commissioners have propounded, and with which the Governors agree, of giving the opportunity to a poor child who may show an aptitude for rising in the social scale,"

they absolutely propose to keep such a child in their school up to 15 on the mere A B C of education. Then they console themselves with the belief that three out of every 1,000 children may desire higher education, and they think, but they do not promise, that they may help these few up to 18. For their information, I may tell them that the Scotch experience in parish schools gives 70 in the 1,000, not three; so their good intentions will likely collapse, and they will take refuge in their old do-nothing policy. If they were sincere in their half-hearted recantation of a most miserable error, then they would practically give up their opposition; for the object of the Commissioners' scheme is to carry out this intellectual development of meritorious children in a rational and practical way, suitable for the future occupations of the working classes. There is a chief reason for hostility to this scheme, very operative with the Governors, but which has been well kept in the back ground in their representations to us. It is the abolition of their private patronage by the substitution of merit on the part of the children. The Governors fancy that we have forgotten the teachings of the Schools Inquiry Commission. That Commission pointed out that selection by patronage produced baneful results in education. Since 1869 large experience has been gained, and it proves the truth of the principles then enunciated. Take the case of Birmingham, where the trustees of King Edward's Schools voluntarily renounced their selection by patronage, and admitted boys of proved merit. I appeal to the hon. Member for Birmingham (Mr. Dixon) whether this system has not been crowned with signal success. In that town the most lively differences exist on subjects of education, but I am informed that there is a perfect consensus of opinion as to the benefits of the abolition of patronage in regard to the admission of scholars to the endowed schools. Allow me to give another instance which is peculiarly valuable, because, unless I much mistake, it is the model on which the Commissioners have built the scheme which now engages our attention. Any hon. Gentleman who has visited Edinburgh must have been struck with the palatial edifices which surround it. These are hospital schools, which, however, find it difficult to procure inmates, because the Scotch people now condemn the hospital system. The Merchant Company of Edinburgh possessed three of these schools, having an income of £20,000. Only 230 children were benefited, or, I should rather say, injured by these endowments. A few years ago the Merchant Company abolished the hospital system, and founded day schools, in which the free places were opened to merit instead of to patronage, grading the education according to different conditions and wants in life, and converting the hospitals into boarding-schools, having also free places open to the meritorious children of the day schools. The result has been that, instead of the cramped education which was given to 230 children, 4,600 children now receive the benefits of the graded education. A considerable proportion pay fees, and enable the foundationers to participate in the benefits of a large and efficient teaching staff. On the old system, the Governors could only pay £1,700 to their teachers; now they pay £20,000 a-year. It is by the contributions of paying pupils that foundationers receive such large benefits, and hon. Members who have objected to the scheme of the Commissioners, because they allow paying pupils to attend the schools, cannot have given full consideration to the large benefits which flow from this participation. These weighty experiences in Birmingham and Edinburgh ought to convince the House that the conceptions of the Commissioners are not theoretical, but are of the largest practical and beneficent application. The establishment of graded schools, some just above the primary, and others giving technical instruction suitable for industrial occupations, as the Commissioners proposed to found by their scheme, would be of enormous value to the poor. The rich have their grammar schools and Universities; the poor in England have nothing but the three R's of the primary schools—a miserable level of education. There is nothing for their clever boys to aim at, nothing that will help them to use their intellectual faculties as a means of promoting them in the industrial pursuits of life. To supply that want the House passed the Endowed Schools Act, the purpose of which, as stated in the Preamble, is "to place a liberal education within the reach of all classes." To carry out the intentions of Parliament, as thus expressed, the Commissioners have carefully framed this scheme. In itself it is undoubtedly good, and well adjusted in its relations to the poor. Then and not now is the time to criticize the general action of the Commissioners; but the scheme for Emanuel Hospital should be decided irrespective of those general considerations. If we arrive at a hostile vote to-night, a severe blow will be struck, not at the Commissioners, but at the principles represented by them—namely, that the poor, like the rich, should have an education fitted to advance them in their several callings. Before I sit down, let me remind you that our vote does not affect merely the question whether the Lord Mayor and Aldermen of London are to have the exclusive management of a small Hospital in Westminster, or share that management with the people of Westminster. The Governors are no doubt important civic dignitaries, and have around them prandial hallucinations of greatness. Their small interests have therefore swollen to vast proportions. Fortunately, however, they have put the general principles of their case clearly before you, and these issues are expressed in unmistakeable language. For my own part, I think that these issues are not only unwise, but highly ignoble. Nevertheless, there they are, and upon them we must vote. They tell us that it is none of their duty to elicit superior faculties among the poor, or to promote the possessors of them. I use their own words once more—"This is the question between the Commissioners and ourselves." Upon this question your votes will be judged to-night, and depend upon it that the working classes will well scan our votes when they understand the ignoble issue which the Corporation of London has raised. Let us by accepting the scheme of the Commissioners tell the Governors and tell the people that we approve the scheme precisely because we do sympathize with the efforts of the poor to better their condition. I do not believe that Lady Dacre ever did intend to have that narrow construction put upon words which in themselves are large and generous. But if she did, the living are not always to be governed by the dead. Why even our most solemn Acts of Parliament are reversed and altered by succeeding generations. Are the statutes of a charitable Founder never to be revised so as to render them suitable to changed times? The State is supreme trustee for all educational endowments. And it is wise and necessary for a State to elicit superior merit among the poor, and to promote its possessors, because the intellectual fund of a nation never can be too large, and in our country it is much impoverished. But, as supreme trustee of educational endowments, the State has a larger duty even than this. It is bound to diffuse knowledge and learning, so that they may become the heritage of all its citizens—not according to the accidents of birth, but according to the natural distribution of intellectual faculties. For the poor, education is their sole chance of heritage, and when they feel that they, as well as the rich, may participate freely in it, you will give far more enduring securities for social order than by adopting the views of the Governors of Emanuel Hospital when they ask you to help them in keeping down education to the lowest level of hewers of wood and drawers of water, without eliciting their superior faculties and without promoting the possessors of them.

MR. SPENCER WALPOLE: Sir, in the course of this debate two difficult questions have been argued with great power and ability—the one general and the other more particular — and the general question is as to how far the Endowed Schools Commissioners have been acting in conformity with the spirit and intention of the Act of Parliament, while the particular question is how they have discharged their duties with reference to the scheme for Emanuel Hospital. Now, Sir, these two questions are wholly distinct from each other, and the answer to them depends on such distinct considerations, that in my humble opinion they ought not to have been brought before the House at the same time, because it is impossible to arrive at a fair conclusion upon them when they are taken together. Indeed the former question can scarcely be decided by the House at all, inasmuch as it has been referred to a Select Committee which has not as yet reported upon it. Therefore I shall say nothing more about it at the present moment, except to reserve to myself the full power of considering it whenever it may be brought under the consideration of this House. If, however, the particular question had been brought forward by itself I should have been able to form a clear and distinct opinion with regard to it. Now, Sir, my hon. Friend and Colleague, the Member for the University of Cambridge, has rested that question solely on the intentions of the Founder which my hon. Friend insisted ought to be upheld. Far be it from me to dispute that proposition; but then those intentions should be liberally interpreted in order to adapt them to the requirements of the age. Well, now Sir, after the speech of the right hon. Gentleman at the head of the Government, I think there cannot be a doubt in any man's mind that the intention of the Foundress, Lady Dacre, in this particular instance was not the intention which has been advocated on the part of the Corporation of the City of London. In my judgment the intention of Lady Dacre was that without circumscribing the locality or the parishes or the places in which the education was to be carried on—both the almshouse and the school should be intimately connected with the City of Westminster. This House evidently assented to the proposition of the First Minister of the Crown with reference to the first 20 children who were thus to be provided for, but when the question afterwards arose whether the same principle is to be applied to any accumulations by which the fund had been increased, a doubt seemed to be entertained as to how the accumulation should be applied. Now Sir, it is some years since I practised in the Court of Chancery, but I will venture to say, notwithstanding that, that no principle is more just and clear than this—that when a fund has been given for charitable objects, and in the course of time it has greatly increased, it is invariably applied in an extended scheme for the benefit of those objects who were originally intended to be applied. And although in this no particular locality has been actually designated in the will of Lady Dacre, yet all the circumstances show that Westminster was to be the principal object of her bounty; and, so, as far as we can, in extending the scheme according to the requirements of the age, I think we ought to have special regard to that part of the metropolis in preference to the City or any other part of it. Now, Sir, the hon. Member for Lambeth made an admirable and interesting speech on behalf the City; but throughout that speech it was perfectly evident that he could not maintain to the full the instructions which had been placed in his hands. It cannot but be regretted I think, that the hon. Member omitted all allusion to the schemes which have been proposed from time to time on the part of the Governors, as well as to the counter schemes which have been proposed on the part of the Endowed Schools Commissioners. In a matter of this importance everything turns upon a comparison of the schemes of these two Bodies. In the first instance I thought that the Endowed Schools Commissioners were very much to blame for not having attended more carefully to the propositions which the City were empowered by Act of Parliament to offer for their consideration, and in my opinion they certainly ought not to have dismissed them so summarily as they evidently did. In my opinion also they are further to blame for having a little exceeded their duty, in proposing their scheme in such a shape that the House of Lords had no alternative but to refer it to the Queen in Council. By this original scheme it was proposed to give no more than three or four members of the Governing Body to the City of London, and in other respects it had too little regard to the objects of the Charity. The scheme now gives to the Corporation of the City of London a majority of the Governing Body, and the objects of the Charity as contemplated by the Foundress. Of the rival schemes as at present submitted, I am decidedly of opinion that that of the Commissioners must be preferred. The scheme of the Corporation of London proposes that both day and boarding schools should be built 20 miles in the country; but everybody knows that children cannot go 20 miles to a day school, so that the children in Westminster would be virtually excluded. The scheme of the Endowed Schools Commissioners is, that the day schools are to be in Westminster; and then the only question will turn upon the mode in which these children will be qualified to enter. According to the scheme of the Corporation of London, they are to enter by selection—that is to say at the will of the Aldermen—not to use the word "patronage." Under the other scheme they are to be taken from the elementary schools, in which all the children of the poor—the very class whom Lady Dacre intended to benefit—will be equally considered, with this difference only, that the preferable choice will be made as the reward of industry, and not as a favour to the negligent and idle. Now, Sir, I should indeed be very sorry to say anything against observing the intentions of the benevolent Foundress. No hon. Member has stronger opinions than I entertain myself about carrying out such intentions, provided they are adapted to the wants and requirements of the age in which we live. Nor, indeed, should I be found opposing views which have been very earnestly pressed upon us by the hon. Member for Lambeth, in respect of offering a gratuitous education to poorer children. My belief is that the opportunity of doing so is better given by the scheme of the Endowed Schools Commissioners than it would be by the scheme of the Corporation of London. I am afraid that I shall not please those who cheer me by what I am now going to add. The Government themselves have referred the general question to a Committee, and it certainly is a grave question whether the House ought to come to an absolute decision on a particular scheme like this until it has determined on the nature of the powers which it is intended to confer upon the Endowed Schools Commissioners in respect to future schemes that may be propounded and settled by them. In saying this, I am perfectly aware that I am taking a course which it is very difficult to tread without stumbling, and I have great doubt whether I should not vote against the Motion of the hon. Member for the City, or whether I should not abstain from voting, which I never do voluntarily if I can avoid it. But, Sir, believing that it is a matter of immense importance that the Endowed Schools Commission should be carried on with the full concurrence of Parliament, the only conclusion I can arrive at, however unsatisfactory it may be to myself and to others is, that I have no other alternative but to vote with the hon. Member for the City until that concurrence is clearly ascertained. I shall not do that with the view of stopping the scheme of the Commissioners, but in order that it may be adopted after mature deliberation as to what are the powers which the Endowed Schools Commissioners are to be entitled to exercise with the full concurrence of Parliament. This I believe will be the best way of giving satisfaction to the country upon a question of such vital importance as that which has now been brought under our notice.

MR. ALDERMAN W. LAWRENCE: Sir, at this late hour, I will only detain the House a few moments. The hon. Member for the University of Edinburgh stated that the views of the Corporation of the City of London were as ancient as they were obsolete. I will recall to his notice the City of London School, and what the Inquiry Commissioners said with respect to that school, for the purpose of showing how ancient are the views of the Corporation of the City of London. Mr. Fearon states, with reference to the City of London School—

> "This education is as cheap as it is good, and subject to the limits of the school it is practically open to all respectable persons residing within 20 miles of St. Paul's. I have now mentioned some of the principal peculiarities in this school which seem to me to deserve the attention of the Commissioners. I will only add that this school has struck me as by far the best among the second grade, by far the nearest approach to my idea of a good secondary school; and as an institution which is, most unquestionably, of the highest use and value to the country."

And he also there states the two facts which particularly struck him in inspecting the school were the thoroughness, the precision, exactness, and soundness of the elementary work, and the scientific way in which everything was taught from its first rudiments; the care that was taken to make the boys grasp the principles upon which their knowledge was based. Now, Sir, I think that the Corporation of the City of London has entirely vindicated its character with respect to its view of education, because it is admitted that the City of London School stands upon a proud pre-eminence as to the education given there, and as to the liberal principles of the masters, and therefore I think it cannot be said that the views of the Corporation are ancient with respect to education. With respect to the scheme of the Endowed Schools Commissioners which we are discussing to-night, it is not so small a matter. Emanuel Hospital stands in the front of the hospital schools throughout the country; and it is looked upon as a matter of great importance how the scheme is received in this House. We hear much of the benefits arising from the examinations and exhibitions in the upper schools. And it is now attempted to introduce the principle even in the lower schools. Are we to have it said—are we to affirm the principle that in future there shall be no free education throughout this country, unless that free education shall be given to those whom the hon. Member for the University of Edinburgh says are likely to rise high in the schools? But there are large numbers who have neither the opportunity nor the capability of receiving a high education. Are boys of the ages of six or seven to be trained for examination in order to obtain a gratuitous education as what is called the "Reward of Merit?" With the permission of the House I will read an advertisement from *The Times*, which shows how very soon demand regulates supply, and how supply is equal to the demand. Soon after the Endowed Schools Act was passed in 1869, about 1870 there was an enunciation by the Commissioners of their views, and in 1871 there appeared this advertisement in *The Times*—

> "Parents who have boys to place at schools should send for particulars to a grinder of small boys, who teaches by a simple and most successful method."

That was followed up the next day by the following advertisement—

> "Teaching extraordinary; boys prepared for a public school; every subject taught upon an entirely new plan; Latin taught in two months. In four months a pupil has done his Latin and Greek from the beginning, has begun Latin verse, and is reading Greek Testament; Grammars thoroughly known, with formation of Greek tenses. English subjects taught by an equally new and successful method—no copy book, no spelling book, no dictation—but spelling and writing guaranteed. Boys are not crammed, and not pressed, but thoroughly taught. A time-table, which is never exceeded by five minutes. No boy over 13 received, and preference given to those between 10 and 11 who have never been to school."

It is a great defect in the Endowed Schools Act that, the moment the Endowed Schools Commissioners have submitted a scheme to the Education Department, there is no power anywhere to alter or amend it. The Education Department can only approve or reject, and the appeal before the Privy Council is only a technical one — there is no power except to reject. So that, after the scheme has been brought before the Educational Department, it is perfectly unalterable. The House of Commons can only address Her Majesty, praying Her to refuse her assent to the scheme. Sir, without trespassing longer upon the patience of the House, I ask the House to vote for the Motion of my hon. Friend and Colleague.

MR. FAWCETT: Sir, I believe in every remark that has fallen from the hon. Member for the University of Cambridge. But it seems to me that the simple thing which we have to consider is this—is the scheme which has been proposed by the Endowed Schools Commissioners a good scheme, and indirectly is it a better scheme than is offered by the City? Now, without pretending to be anything like satisfied with the scheme of the Endowed Schools Commissioners, I am bound to say that, after having opposed some of their schemes, that this seems to me the very best scheme, and the one perhaps which, of all others, is the most deserving of consideration—the scheme which we are now considering—and I venture to assert that if there had not been a powerful Corporation before us, interested in the question, there is not a single proposal presented by the Endowed Schools Commissioners that would not have passed the House. What seems surprising to me is this—that the City should think that they have been hardly used. Well, it seems to me not improbable, as it often happens in the political mysteries of this country, that if the City should succeed this evening they will soon find, so far as their present interest is concerned, that it is a dearly bought victory. Well now, Sir, much has been said this evening about the wills of Founders. But, happily, the question has been so much narrowed that there is not much to say. I fully endorse the doctrine of my hon. Friend the Member for Cambridge, in which he said that the will of the Foundress should be respected and interpreted by the experience and and thoughts of the age. I ask the House, can any one doubt how entirely the circumstances under which this endowment was made have changed during the last 20 years. In the first place, 300 years ago, when Lady Dacre made her generous gift to the poor, there was no public provision for elementary education, except that which was offered by charities of this description. Now, the elementary education of the poor is guaranteed by the State; consequently, if you devote endowments to the education of the poor, what do you do? You devote endowments not to the poor, but to the relief of the rates. This endowment amounts to about £2,000 a-year. It was said by a Member of the Commission the other night that one-fifth of the rates is paid to the poor. Therefore, if you spend the whole of this £2,000 in elementary education, you will distribute £400 of this very fund amongst the poor, and you will give the remaining £1,600 to retired merchants, the millionaires, and the wealthy traders. I ask the House, is this doing justice to the poor? I say that it is not. But I hope that I am not one of those unreasonable beings who think that everything in the past is inferior to that which exists in the future; but I do believe that in some things we have improved, and in nothing so much as the way in which we look upon the poor. 200 years ago—100 years ago even—it was a fashion for high-minded people—even persons as good—as able as Lady Dacre, to think that the object of creating charitable endowments was to keep the poor in the position in which they were born. I venture to say that in this respect there has been an entire revolution. We think at the present day that what we ought to do with the poor is not to keep them in the position in which they were born, but to do every thing that the Legislature can do to enable them to have a full, free, and fair opportunity for the exercise of those faculties with which they are endowed, by giving them a chance of rising in that position of life—so that they may ultimately obtain that position in life that they are qualified to fulfil, with much advantage to themselves and to the community at large. Now, Sir, this being the case, it seems to me that much in the course of this debate has been urged in defence of the City which seems to me extremely difficult to understand, and one thing which has been put forward by the City as against the Endowed Schools Commissioners is this—it is not difficult to show that the Commissioners are doing more by education than the City. Then it is said that the City is doing a great deal for the poor. What does the City propose to do? To constitute a boarding school for 100 boarders. That is the first part of their scheme. We have not got the smallest possible security that a single boy going to that school would be a poor boy—the school to be situated in the country. Now, Sir, let us look at the guarantees provided by the Endowed Schools Commissioners. They say the persons who receive the reward for these endowments must be educated in the elementary schools, and they distinctly and emphatically lay down—I might almost say with too great emphasis—that they must not live in elementary schools. But, in addition to that, they must also be poor children. Therefore, we have the most explicit guarantee that so much as the Endowed School Commissioners are concerned these endowments will be devoted to the poor. But now let us look at the second part of the scheme of the Corporation of the City of London. They propose to constitute a school of 300 scholars—not in Westminster—not in the City of London, but in some part of the whole country—it may be in Dover, it may be in Colchester, it may be in Dublin, or anywhere else—it may be 60 miles away from London. It is evidently contemplated that this day school should be a middle-class school to which the middle classes of suburban residents can send their children. It is never contended that a day school situated in one of the home counties should be a school which will afford the smallest possible advantage to the poor of Westminster, or to the poor of the City of London, or to the poor of the parishes of Chelsea. It seems to me that there is great danger in allowing schools to be taken out of the centre of the population and put upon the fringe of cities in the country districts. If I could have my time over again in this House I certainly would oppose many schools being taken out of London which have been taken out of London, and in order to show you that I am not one alone in this House, I certainly would join anyone in this House, when the case of the Birmingham scheme comes on, in resisting that being taken out of the centre of the town. I say that the scheme of the Corporation of London evidently contemplates making this a middle-class school, without any guarantee whatever that the poor of the metropolis will be benefited by it in any way whatever. And as I said just now there seems to be great danger in allowing schools to be taken away from the centres of populations. The City proposes the school to consist of 100 boarders. I believe that it will have all the defects and vices of a charity school. Well, now, Sir, having said this much about the scheme of the Corporation of the City of London, let us look at what the Commissioners propose to do on the other hand. In the first place, there is a boarding school in the City. What will that consist of? There is not the slightest security that it will not have all the defects and vices of a charity school. What is the City of London School? Because that is a case which always comes within their arguments. I know of the great and distinguishing success of that school. I admit it, but that is not a charity or hospital school. I know that there is no school that has furnished so many distinguished students to Universities as that school. But that is not a charity school—it is not a hospital school—anyone can go there. It is a school that is based upon the same principle as the Endowed Schools Commissioners have always contended for, and therefore it is an instance which certainly does not support the argument of the hon. Member for the City of London. I do not think anyone could have read the printed matter which has been circulated upon this subject, or taken the trouble to ascertain the feelings of the people of Westminster—for I happen to live in the parish immediately affected by the scheme—without coming to this conclusion—that it is a great strike between patronage and merit that is now going on, and it seems to me that this House cannot possibly decide a more important truth, and one more vitally affecting the future welfare of this country. Now, if the City obtained its own way, how would these endowments be administered? There would be favours bestowed and favours received. What does that mean? Why, it means dependence, subserviency, and obsequiousness. As a working man of Westminster said to me the other day—"I am not going to crouch and cringe through Temple Bar for this favour; if I ask for it I shall have to give something in return, but if I have a boy of sufficient merit who can enter one of these schools because he proves himself to be meritorious, because he receives a good character—if he were admitted not as a favour but as a reward for his conduct I should feel proud to accept the boon. It would sacrifice none of my self-respect." Now, Sir, I promised the House when I commenced that I would be brief, and I am only going, in conclusion, to say this—I am going to make an appeal to this House. There is at the present moment before us an issue at stake which is of far greater importance than the cause of education, and that is the freedom and independence of this House itself. I must say that if they had the slightest doubt as to how they should vote I should have been decided at once by the way in which this question has been forced, and the way in which Members have been pressed. I believe there is a power which it is most important to resist if we are going to maintain the independence of Parliament, and that is the influence of the Corporation of the City of London. I must say that it seems to me that the Corporation of the City of London have been liberally dealt with—they will probably never get such good terms again, and if they are defeated they will have to attribute their defeat to no small extent to the undue pressure which has been brought upon the House. I trust, under all the circumstances of the case, the House will not accept the scheme, notwithstanding we have been told that the patronage of the City is at stake. In conclusion, I venture to say that much as we may respect the historic associations of the Corporation of the City of London—fully as we may recognize they have rendered in former times this country, we cannot accept them as the great educational authority for the City of London.

MR. NEWDEGATE: I am not one of those Members of the House who are supposed by the hon. Member for Brighton (Mr. Fawcett) to be in terror of town clerks. Neither am I jealous of the position of the Corporation of the City of London. On the contrary, I believe that that Corporation has done much for the freedom of this country; and I know that many localities which have been deprived of the benefits they had long received from their endowed schools look to this division with very great anxiety. I have presented not less than three Petitions from my own constituents in the sense of the Motion proposed by the hon. Member for the City of London. Therefore, Sir, without the fear of any town clerks before me, I intend to support the Motion which the hon. Gentleman has submitted to this House; and the more so on account of the very remarkable speech which has been made by the right hon. Gentleman the First Minister of the Crown. To his supporters, who were then about to separate, that speech must have been what the French call *très appétisant*; but it was founded upon a total mistake, for the right hon. Gentleman repeated over and over again, with respect to the appointment to these schools of children from other localities than the City of Westminster, that the Corporation of London had violated their trust, and defeated the charter under which they acted. [MR. GLADSTONE: No, I said the statutes.] I am sorry if I did not quite catch the meaning of the right hon. Gentleman. I heard him advert to statutes; but the statutes are the creation of a former Governing Body. The Corporation of the City of London were not bound by the acts of their predecessors, but only by the will of the Founder and the charter; and the language which the right hon. Gentleman used distinctly implied that they had been guilty of a breach of trust. The House separated, as it usually does at that particular hour, under that impression, and it was a totally erroneous impression. I happen to know that that was the case; and it recalled to my mind a passage in an address delivered by Mr. Carlyle to the University of Glasgow, where he said that of all disagreeable objects the most disagreeable was an eloquent man declaiming upon false premises. That was precisely what the right hon. Gentleman was doing; but I shall not vote upon this occasion merely upon the narrow issue whether the scheme before us is the best. I have nothing to do with the scheme which was proposed by the Corporation of London. It has been rejected; and I hope that this House will to-night respond to the feeling of the country, the feeling of alarm which has been excited at finding that, although, when the House of Commons was engaged in passing an Act which empowered a Commission to correct abuses, it was assured by the right hon. Gentleman the Vice President of the Committee of Council that under that Commission no good school had any cause to fear undue interference, yet in correspondence with myself, a senior governor of a charity in this country, this principle is distinctly enunciated; I will not read it, but I have it here; that no matter how beneficial may have been the administration of a charity, it is the settled policy, not of Parliament, but of the Commissioners—that hereafter the funds of that charity shall cease to be applied to elementary education, and that only some small portion of the sums hitherto applied; and I speak of the case of a charity in the administration of which I have taken part for more than 20 years; that only some small portion of the funds hitherto applied to the free education of the poor shall be returned to them in the form of prizes for attainments. That has been plainly and distinctly enunciated, and I now declare before the House that no hon. Member, except it may have been the right hon. Gentleman himself, after the debates on the Endowed Schools Bill, believed that where there was a faultless administration the system was to be broken up in this way, and that funds which had been thus administered, and belonged to the poor themselves, to provide them with an education that enabled many of them to advance their position, should be so diverted. At this moment there is one of the senior clerks in the Bank of England, who was educated at one of these schools; and I know several men who stand high in the administration of railway and other companies who were also educated in these schools. That is my reply to the hon. Member for Brighton, when he says that this gratuitous education, as he calls it, is degrading. Sir, I hold that it is not gratuitous, that it is the property of these men themselves, and as much their inheritance as is my estate mine. The hon. Member says that such a position must have a great effect on the character of these men; that they cannot rise. Sir, I know that they do rise, I have seen them. There is nothing degrading in being educated out of funds that belong to you of right, and it is in defence of that right and of this property which is now systematically assailed and attempted to be diverted from its proper objects by the Endowed Schools Commissioners, that I shall, from a sense of duty, and with the full concurrence of my constituents, support the hon. Member for the City of London in resisting this measure.

MR. W. E. FORSTER: Sir, in rising to address the House in reply to the Motion of my hon. Friend the Member for the City of London, I do not think it will be necessary for me to trouble the House more than a few minutes, for there is very little I can say that has not been already said in support of the scheme of the Endowed Schools Commissioners. The question has, on both sides, been so completely exhausted that I shall make but very few remarks in opposing the Motion of my hon. Friend. Sir, with reference to the recipients of the Charity, it is quite true that neither Lady Dacre's will nor the Charter of Queen Elizabeth declares that they shall come from Westminster; but what my right hon. Friend stated was that Lady Dacre, in her will, pointed to the City of Westminster by declaring that the Hospital should be there, and that the executors she appointed, who might fairly be taken as interpreters of her will, ordained that for ever afterwards the recipients of the Charity should come from Westminster, Chelsea, and Hayes. Now, Sir, the Corporation, conscious that some fault might be found with them for taking recipients from the City, urge that since the establishment of certain schools there the necessity no longer exists. Now, it has been abundantly proved how very rich the City is in such foundations, and, at the same time, how very poor is Westminster; but permit me to say that it has escaped general observation that, in both the schemes put forward by the Corporation, they still propose to take children from the City of London. In the first scheme certain limitations were introduced; but, in the second, there were none at all, and it was left to the Governors to choose the children in what proportions they might think fit. Sir, I have rarely listened to a speech with greater pleasure than to the one delivered by my right hon. Friend (Mr. Walpole), who has stated the arguments against the Motion with equal force and truth, and who, if he does not convince himself, must have convinced a good many of his hearers. My right hon. Friend said the issue before the House was not the general conduct of the Commissioners, but this particular scheme; and then having shown that the scheme ought to be supported, announced that he should vote against the scheme of which he approved, because the House had not the general question before it. Well, then, Sir, with reference to the Commissioners, I would remind the House that a Select Committee is now sitting to inquire into the whole subject, and I hope that hon. Members will reserve their judgment till they have the whole of the facts before them. I should not be acting loyally towards the Commissioners, however, if I did not tell the House that a great and difficult reform is entrusted to them; and, however general may be the feeling in favour of this reform, there is sure to be opposition to particular schemes—sometimes an interested, sometimes an innocent opposition; and a strong case ought to be made out before the House discredited the Commissioners in the discharge of their difficult task. I have always noticed that a clever speech generally hangs round a man's neck for the rest of his life, and if any hon. Member chances to make a clever remark—which by the way is not likely to be my case—I have noticed that it is pretty certain to be thrown back so often into the face of the speaker that he is generally sorry he ever made it. The quotations, however, which have been made from the speeches and writings of the Members of the Commission have not been fair, because they have been made without the context. Now, the question is whether the House will take upon itself the responsibility of preventing this scheme from becoming law. And I can hardly understand how my right hon. Friend came to suppose that if his speech should upset the scheme, it would, nevertheless, in some way or another, come to life again. The effect of a hostile vote upon the present Motion would certainly be to put an end to the scheme, and the House remembering that it is now about to exercise a judicial function, will try the matter upon its merits. Perhaps, Sir, it is right that I should allude to the frequent reference to some remarks of mine which were made in 1869. They have been quoted over and over again, but not correctly. What I did say I am perfectly willing to abide by. I observed that schools that were well managed need fear nothing from the operation of a Bill which was to introduce good management, and that it was only bad schools for which the Bill was framed. [" Go on!"] I have read all that was quoted, and there was nothing stronger than that. Those who heard that speech understood perfectly well that I was introducing a Bill for making the best use of the educational endowments of the country, and what I meant was, that those bodies who were turning their endowments to the best advantage need not expect to be interfered with. When my hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope) supported the Endowed Schools Bill, did he mean that all schools in which a flagrant abuse could not be found were to be left alone? Now there were schools which, though not bad schools, might be turned to much better account. There was no school more completely in that position than Christ's Hospital, and my hon. Friend knows that Christ's Hospital was one of the most prominent cases that came before them in the deliberations of the Committee on the Endowed Schools Bill before it was passed. I do not for a moment say that the Corporation of London have pocketed the funds, or have been giving dinners out of the income of the School. I am perfectly willing to admit that the Corporation have conscientiously striven to discharge their duty. But, then, with an income of £2,500 per annum, there are only 64 boarders receiving an elementary education. If that is a good School, then it is clear that, with such an income, it might be made better. There are three other schools in Westminster. The income of this School, with the three other schools in Westminster included in the scheme, is £4,600, out of which 92 boarders and 55 day scholars are taught, and receive only an elementary education. These schools may be so much better, and do so much more good, that the Commissioners would have neglected their duties and disregarded their instructions if they had left such endowments as these without interfering with them at all. Let me ask, Sir, if it is not much better that, with the funds of these institutions, the Commissioners should provide a boarding school for from 15 to 300 boys, and two day schools for 300 each? One of these schools is to supply good technical training for engineers and mechanics; and I cannot imagine anything more in accordance with the wish of Lady Dacre, who directed that the children should be instructed in—"laudable arts, so that they might best be enabled to earn their own living hereafter." The children in the other school will receive elementary education and obtain instruction in science, French, and political economy. The Commissioners, Sir, have been charged by the hon. Member for the Isle of Wight, among others, with spoliation and confiscation. The scheme will give a good free maintenance and teaching to 60 boarders and free teaching to 120 day scholars; while it will, in addition, aid from 30 to 60 boarders, and defray three-fourths of the expenses of 80 day scholars. The new schools will, therefore, assist the poor far more than the present schools as conducted by the Corporation. Now, Sir, the Corporation gives the nominations to the school to their poor *protégés*, whom each Alderman chooses in rotation. They must be the children of resident householders who have been settled for three years where they live; but this provision excludes lodgers, and consequently a large number of the poor. Besides this, at present, no examination or previous education is required; and the result is that in many cases the Charity proves almost a curse, because it induces parents to neglect the education of their children until they go into the school. Well, now, Sir, with respect to the charge of confiscation, if it be said that the rights of the Governing Body are confiscated, I must point to the reform that has been initiated by my right hon. Friend the Member for the University of Cambridge (Mr. Walpole) when he introduced the Public Schools Bill, since which time many Governing Bodies have been changed, with the general concurrence of the country, and I may add, with the concurrence of the Governing Bodies themselves. Now, Sir, let me ask the House—is Westminster to be the only place which is to be deprived of the power of choosing any member of the Governing Body of an endowment relating to that locality? I need hardly remind the House that there are large issues behind the pending Division; and those issues are, first, whether the reform which was commenced by the unanimous consent of public opinion is to receive a very heavy blow and great discouragement; and, secondly, whether in future poor children shall come in—not by patronage and favour—but by some test of merit; and, thirdly, whether having passed the Elementary Education Act the House will be content to allow these endowments to be devoted to the promotion of elementary education which is otherwise provided for, or whether the endowments shall not be applied to the encouragement of higher education? Then there is also another issue—namely, whether it is not desirable to encourage the amalgamation of neighbouring schemes so that they may be more economically managed? And then there is this question, whether we shall not carry out this reform upon this principle — namely, that endowments ought to be made the most of, and that we ought to get the best Governing Body we can. Sir, those are the questions that are to be decided by this Division, and I appeal to the House to decide them in accordance with the verdict which they gave when this Act was passed, and to do so notwithstanding the opposition of the Corporation of the City of London.

SIR THOMAS CHAMBERS: Sir, the last few sentences of the speech of the right hon. Gentleman who has just sat down show that my hon. Friend the Member for the City of London ought to have the majority of the House to-night. It has been admitted, after all the sneers against the Corporation of the City of London, that what they are fighting now is not the question of the independence of Emanuel Hospital alone, but also a number of great and momentous questions, and certainly nobody has put this more forcibly than the right hon. Gentleman the Vice President of the Council. Having stated that the proceedings of the Endowed Schools Commissioners have awakened in the country such a feeling that a Committee of the House has been appointed to consider the course that they have pursued, and while that Committee is still sitting, although not formally, yet substantially upon the issue now before the House, while all the momentous questions which he has stated have not been concluded he asks the House to agree to this scheme of the Endowed Schools Commissioners. We are, in point of fact, asked to agree to this scheme which ought to be argued with reference to all schemes that may be propounded by the Commissioners. [An hon. MEMBER: Who said that?] The Prime Minister stated it in the course of the debate. The hon. Member for West Kent (Mr. J. G. Talbot) stated that there was only one exception taken to this scheme. What is that? That it destroyed the Governing Body. I heard the First Minister of the Crown declare how many Governing Bodies had already been destroyed. He stated that he himself had been displaced from the government of the Charterhouse, which I consider a public calamity. In the whole course of this debate I have not heard one single shadow of an argument to justify this displacing of Governing Bodies. The Prime Minister has not attempted it, and my hon. Friend opposite has not attempted it. I therefore ask the House to wait until the general policy of the Endowed Schools Commissioners comes to be argued. ["Divide, divide!"] Why is this House to say, notwithstanding all we have heard, that this Motion ought not to be carried?

MR. CRAWFORD: Sir, at this late hour I will not tax the patience of the House by any lengthened observations in reply. I shall go to the division with the feeling that if I should be in a minority the decision of the House will have been arrived at after the full discussion which I have desired, while, if I should be in a majority, I shall feel confident that when the question comes to be dealt with again a scheme will be proposed for the sanction of Parliament with all the advantages of the arguments which have been adduced this evening, and with a full knowledge of what the determination of the House is after the Report of the Committee has been presented.

Question put.

The House *divided*:—Ayes 238; Noes 286: Majority 48.

AYES.

Agnew, R. V.
Akroyd, E.
Amphlett, R. P.
Arbuthnot, Major G.
Archdale, Captain M.
Arkwright, A. P.
Arkwright, R.
Assheton, R.
Baggallay, Sir R.
Bagge, Sir W.
Bailey, Sir J. R.
Ball, rt. hon. J. T.
Barnett, H.
Barrington, Viscount
Barttelot, Colonel
Bates, E.
Bathurst, A. A.
Beach, Sir M. Hicks-
Beach, W. W. B.
Beaumont, H. F.
Bective, Earl of
Bentinck, G. C.
Benyon, R.
Beresford, Colonel M.
Bingham, Lord
Bourke, hon. R.
Bright, R.
Brise, Colonel R.
Broadley, W. H. H.
Brocklehurst, W. C.
Brooks, W. C.
Bruce, Sir H. H.
Bruen, H.
Buckley, Sir E.
Burrell, Sir P.
Butler-Johnstone, H. A.
Buxton, Sir R. J.
Cameron, D.
Cartwright, F.
Cave, rt. hon. S.
Cawley, C. E.
Cecil, Lord E. H. B. G.

Chambers, Sir T.
Chaplin, H.
Charley, W. T.
Chelsea, Viscount
Clive, Col. hon. G. W.
Clowes, S. W.
Cochrane, A.D.W.R.B.
Cole, Col. hon. H. A.
Collins, T.
Corrance, F. S.
Corry, hon. H. W. L.
Crichton, Viscount
Croft, Sir H. G. D.
Cross, R. A.
Cubitt, G.
Damer, Capt. Dawson-
Davenport, W. B.
Dawson, Colonel R. P.
Denison, C. B.
Disraeli, rt. hon. B.
Duncombe, hon. Col.
Du Pre, C. G.
Dyke, W. H.
Dyott, Colonel R.
Eastwick, E. B.
Eaton, H. W.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elliot, G.
Elphinstone, Sir J.D.H.
Feilden, H. M.
Fellowes, E.
Fielden, J.
Figgins, J.
Finch, G. H.
Floyer, J.
Forester, rt. hon. Gen.
Fowler, R. N.
Galway, Viscount
Gilpin, Colonel
Goldney, G.
Gordon, E. S.
Gore, J. R. O.
Gore, W. R. O.
Gray, Colonel
Greene, E.
Guest, A. E.
Hambro, C.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hamilton, I. T.
Hamilton, Marquess of
Hardy, rt. hon. G.
Hardy, J.
Hardy, J. S.
Hay, Sir J. C. D.
Henry, J. S.
Herbert, rt. hon. Gen. Sir P.
Hermon, E.
Hervey, Lord A. H. C.
Heygate, Sir F. W.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Hill, A. S.
Hoare, P. M.
Hodgson, W. N.
Hogg, J. M.
Holford, J. P. G.
Holker, J.
Holmesdale, Viscount
Holt, J. M.
Hood, Captain hon. A. W. A. N.
Hornby, E. K.
Hutton, J.
Jackson, R. W.
Jenkinson, Sir G. S.
Johnston, W.
Jones, J.
Kavanagh, A. MacM.
Knight, F. W.
Knightley, Sir R.
Knox, hon. Colonel S.
Lacon, Sir E. H. K.
Laird, J.
Langton, W. G.
Laslett, W.
Lawrence, Sir J. C.
Lawrence, W.
Learmonth, A.
Legh, W. J.
Leigh, Lt.-Col. E.
Lennox, Lord G. G.
Lennox, Lord H. G.
Lewis, C. E.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Locke, J.
Lopes, H. C.
Lopes, Sir M.
Lowther, hon. W.
Lusk, A.
M'Arthur, W.
M'Laren, D.
Mahon, Viscount
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
March, Earl of
Matthews, H.
Mellor, T. W.
Meyrick, T.
Miller, J.
Milles, hon. G. W.
Mills, Sir C. H.
Monckton, F.
Monckton, hon. G.
Morgan, C. O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Muncaster, Lord
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Newry, Viscount
North, Colonel
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Lieut.-Col. W.
Patten, rt. hon. Col. W.
Peek, H. W.
Pell, A.
Pemberton, E. L.
Percy, Earl
Phipps, C. P.
Plunket, hon. D. R.
Powell, W.
Raikes, H. C.
Read, C. S.
Ridley, M. W.
Rothschild, Brn. L. N. de
Round, J.
Royston, Viscount
Sackville, S. G. S.
Salt, T.
Sandon, Viscount
Sclater-Booth, G.
Scourfield, J. H.
Selwin - Ibbetson, Sir H. J.
Simonds, W. B.
Smith, F. C.
Smith, R.
Smith, S. G.
Smith, W. H.
Stanhope, W. T. W. S.
Stanley, hon. F.
Starkie, J. P. C.
Straight, D.
Sturt, H. G.
Sykes, C.
Talbot, C. R. M.
Talbot, J. G.
Talbot, hon. Captain
Taylor, rt. hon. Col.
Thynne, Lord H. F.
Tollemache, Maj. W. F.
Tomline, G.
Torr, J.
Torrens, W. T. M'C.
Trevor, Lord A. E. Hill-
Turner, C.
Turnor, E.
Vance, J.
Vandeleur, Colonel
Verner, E. W.
Wait, W. K.
Walker, Lt.-Col. G. G.
Walpole, hon. F.
Walpole, rt. hon. S. H.
Walsh, hon. A.
Waterhouse, S.
Watney, J.
Welby, W. E.
Wells, E.
Wethered, T. O.
Wharton, J. L.
Wheelhouse, W. S. J.
Wilmot, Sir H.
Winn, R.
Wynn, Sir W. W.
Yarmouth, Earl of
Yorke, J. R.

TELLERS.

Crawford, R. W.
Hope, A. J. B. B.

NOES.

Acland, Sir T. D.
Adair, H. E.
Adderley, rt. hn. Sir C.
Agar-Ellis, hn. L. G. F.
Amcotts, Colonel W. C.
Amory, J. H.
Anderson, G.
Annesley, hon. Col. H.
Anstruther, Sir R.
Antrobus, Sir E.
Armitstead, G.
Ayrton, rt. hon. A. S.
Aytoun, R. S.
Backhouse, E.
Bagwell, J.
Baines, E.
Balfour, Sir G.
Barclay, A. C.
Barclay, J. W.
Barry, A. H. S.
Bass, A.
Bassett, F.
Baxter, rt. hon. W. E.
Bazley, Sir T.
Beaumont, Major F.
Beaumont, S. A.
Beaumont, W. B.
Biddulph, M.
Blennerhassett, Sir R.
Bolckow, H. W. F.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowmont, Marquess of
Bowring, E. A.
Brady, J.
Brand, H. R.
Brassey, T.
Brewer, Dr.
Bright, J. (Manchester)
Brinckman, Captain
Bristowe, S. B.
Brogden, A.
Brown, A. H.
Browne, G. E.
Bruce, rt. hon. H. A
Bryan, G. L.
Buckley, N.
Buller, Sir E. M.
Bury, Viscount
Cadogan, hon. F. W.
Callan, P.
Campbell-Bannerman, H.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hn. Cap. W.
Carter, R. M.
Cartwright, W. C.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Childers, rt. hon. H.
Cholmeley, Captain
Cholmeley, Sir M.
Clifford, C. C.
Cogan, rt. hon. W. H. F.
Colebrooke, Sir T. E.
Coleridge, Sir J. D.
Colman, J. J.
Colthurst, Sir G. C.
Cowper, hon. H. F.
Cowper-Temple, right hon. W.
Craufurd, E. H. J.
Cunliffe, Sir R. A.
Dalglish, R.
Dalrymple, D.
Dalway, M. R.
D'Arcy, M. P.
Davies, R.
Dease, E.
Delahunty, J.

Dent, J. D.
Dick, F.
Dickinson, S. S.
Digby, K. T.
Dilke, Sir C. W.
Dillwyn, L. L.
Dixon, G.
Dodds, J.
Dodson, rt. hon. J. G.
Duff, M. E. G.
Duff, R. W.
Edwards, H.
Egerton, Admiral hn. F.
Enfield, Viscount
Ennis, J. J.
Erskine, Admiral J. E.
Ewing, A. Orr-
Fawcett, H.
Finnie, W.
FitzGerald, right hon. Lord O. A.
Fitzmaurice, Lord E.
Fitzwilliam, hon. H. W.
Fletcher, I.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, rt. hon. W. E.
Foster, W. H.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Fothergill, R.
Fowler, W.
Gallwey, Sir W. P.
Gavin, Major
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Graham, W.
Gray, Sir J.
Greville, hon. Captain
Greville-Nugent, hon. G. F.
Grey, rt. hon. Sir G.
Grieve, J. J.
Grosvenor, hon. N.
Grosvenor, Capt. R. W.
Grosvenor, Lord R.
Grove, T. F.
Guest, M. J.
Hadfield, G.
Hamilton, J. G. C.
Hanbury, R. W.
Hardcastle, J. A.
Hartington, Marq. of
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Henry, M.
Herbert, hon. A. E. W.
Herbert, H. A.
Hibbert, J. T.
Hoare, Sir H. A.
Holland, S.
Holms, J.
Horsman, rt. hon. E.
Hoskyns, C. Wren-
Howard, hon. C. W. G
Howard, J.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Illingworth, A.
James, H.
Jardine, R.
Jessel, Sir G.
Johnston, A.
Johnstone, Sir H.
Kay-Shuttleworth, U. J.
Kensington, Lord
King, hon. P. J. L.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, right hon. E.
Laing, S.
Lambert, N. G.
Lancaster, J.
Lawson, Sir W.
Lea, T.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lewis, J. D.
Lloyd, Sir T. D.
Lowe, rt. hon. R.
Lubbock, Sir J.
Lyttelton, hon. C. G.
Macfie, R. A.
Mackintosh, E. W.
M'Clean, J. R.
M'Clure, T.
M'Combie, W.
M'Lagan, P.
Magniac, C.
Marling, S. S.
Martin, P. W.
Massey, rt. hon. W. N.
Matheson, A.
Maxwell, W. H.
Melly, G.
Merry, J.
Miall, E.
Milbank, F. A.
Mitchell, T. A.
Monk, C. J.
Monsell, rt. hon. W.
Morgan, G. O.
Morrison, W.
Mundella, A. J.
Munster, W. F.
Muntz, P. H.
Murphy, N. D.
Nicholson, W.
Northcote, rt. hon. Sir S. H.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
Ogilvy, Sir J.
Onslow, G.
O'Reilly-Dease, M.
O'Reilly, M. W.
Palmer, J. H.
Parker, C. S.
Parry, L. Jones-
Pease, J. W.
Peel, A. W.
Pelham, Lord
Pender, J.
Philips, R. N.
Pim, J.
Playfair, L.
Potter, E.
Potter, T. B.
Power, J. T.
Price, W. E.
Ramsden, Sir J. W.
Rathbone, W.
Richard, H.
Richards, E. M.
Robertson, D.
Roden, W. S.
Ronayne, J. P.
Russell, Lord A.
Rylands, P.
St. Aubyn, Sir J.
Samuda, J. D'A.
Samuelson, B.
Samuelson, H. B.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Seymour, A.
Shaw, R.
Shaw, W.
Sheridan, H. B.
Sherlock, D.
Sherriff, A. C.
Simon, Mr. Serjeant
Sinclair, Sir J. G. T.
Smith, E.
Stansfeld, rt. hon. J.
Stapleton, J.
Stepney, Sir J.
Stevenson, J. C.
Stone, W. H.
Storks, rt. hn. Sir H. K.
Strutt, hon. H.
Stuart, Colonel
Taylor, P. A.
Tipping, W.
Tollemache, hon. F. J.
Torrens, Sir R. R.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Walter, J.
Wedderburn, Sir D.
Weguelin, T. M.
Wells, W.
Whatman, J.
Whitbread, S.
White, hon. Col. C.
Whitwell, J.
Williams, W.
Williamson, Sir H.
Willyams, E. W. B.
Wingfield, Sir C.
Winterbotham, H. S. P.
Woods, H.
Young, A. W.
Young, rt. hon. G.

TELLERS.

Adam, W. P.
Glyn, hon. G. G.

BARKING CHARITY SCHOOLS.

MOTION FOR AN ADDRESS.

MR. CORRANCE, in moving—

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to withhold her assent to the scheme of the Endowed Schools Commissioners for the management of the Barking Charity Schools."

said, he objected to that portion of the scheme which proposed that exhibitions should be given to the school in lieu of the provision for a certain number of free boys.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to withhold Her assent to the scheme of the Endowed Schools Commissioners for the management of the Barking Charity Schools."—(*Mr. Corrance.*)

MR. W. E. FORSTER said, the scheme had been proposed by the Commissioners at the instigation of the trustees and the locality, and he could not assent to the address of the hon. Member. As regarded, however, the scale of fees, the Commissioners would be willing to re-consider that matter, though he must add that the scale had been adopted after full consideration.

Motion, by leave, *withdrawn.*

MERCHANT SHIPPING ACTS AMENDMENT BILL.

LEAVE. FIRST READING.

Acts read; *considered* in Committee.

(In the Committee.)

Mr. CHICHESTER FORTESCUE, in moving that the Chairman be directed to move the House that leave be given to bring in a Bill to amend the Merchant Shipping Acts, explained that the object of the Bill was to strengthen the power and increase the responsibility of the Board of Trade in exercising the functions conferred on them by the Act of 1871 for the purpose of preventing unseaworthy ships from proceeding to sea. In bringing in the Bill, he had not done it without communicating with the Royal Commission on the whole subject. The Commission was satisfied that this Bill would not anticipate their recommendations. The Bill also contained provisions relating to collisions at sea, the improvement of signals of distress, and other matters.

Mr. T. E. SMITH said, he trusted that by this Bill things would be put on such a footing that further legislation would be unnecessary.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Merchant Shipping Acts.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Bonham-Carter, Mr. Chichester Fortescue, and Mr. Arthur Peel.

Bill *presented*, and read the first time. [Bill 162.]

House adjourned at half after One o'clock.

* * *

HOUSE OF COMMONS,

Wednesday, 14*th May*, 1873.]

MINUTES.] — Public Bills — *Ordered—First Reading*—Local Government Provisional Orders (No. 2) * [163].

Second Reading—Occasional Sermons [22], *put off;* Infanticide Law Amendment [42]; Shipping Survey, &c. [43], *debate adjourned;* Municipal Corporations Evidence * [155].

Committee—Prison Officers Superannuation (Ireland) * [142]—R.P.

Third Reading—Customs Duties (Isle of Man) * [151]; Fulford Chapel Marriages Legalisation * [160], and *passed.*

OCCASIONAL SERMONS BILL—[Bill 22.]

(*Mr. Cowper Temple, Mr. Thomas Hughes.*)

SECOND READING.

Order for Second Reading read.

Mr. COWPER-TEMPLE, in moving —"That the Bill be now read a second time," said, that it proceeded upon the conviction entertained by many persons, that in the present day, when there was so much energy and activity, and so much desire on the part of many important persons in the Established Church to render that Church more widely useful for the great purpose for which it was established, the best thing that Parliament could do for the Church was to remove restrictions which had been imposed upon its free agency and free activity by the State, and which were not justified by any considerations of sound policy and were not required by the circumstances of the present time. The particular restriction which the Bill was intended to remove imposed upon the Church a character of exclusiveness not in harmony with the tolerant and liberal spirit which belonged to it, and deprived the congregations of useful teaching. A beneficed clergyman was free to call in the help of any other clergyman of the Established Church, with the consent of the Bishop of the diocese either implied or expressed. Since the year 1840 a beneficed clergyman might also invite a minister of the Episcopal Churches of Scotland and America. But here the limit ended, he was prevented from getting the assistance of a clergyman of the Established Church of Scotland, or the Free Church of Scotland, or anyone who was not a member of the Episcopal Body, and if he wished his congregation to hear any American or German missionaries, who might have been associated with English churchmen in Asia or Africa, he could not do so. On the occasion of the Great International Exhibition of 1851 various foreigners, who were renowned for their gifts of eloquence and knowledge, came to this country with a warm enthusiasm for a land where there was so much religious freedom; but found to their surprise, that the law of the English Church was more exclusive in this respect than that of any other religious community. In the ancient Church men who were not ordained as priests or deacons were allowed by the authority of the Bishop to deliver discourses to the congregation. There were many laymen, among the most famous of whom was Origen, who was so allowed to preach. At the time of the Fourth Council of Carthage the practice of laymen preaching in the congregation had become so well established that it was necessary for the Council to regulate the custom; and in the 12th century, a large number of lay friars who had not received Orders were in the habit of preaching sermons to congregations with the assent of the authorities of the Church. In the Roman Catholic Church there were no restrictions on the right of the authorities of the Church to allow any person who was not a priest to preach in the public assemblies of the Church, and in the Archbishopric of Posen the practice still existed for laymen to preach in public congregations during funeral services. Among Nonconformists in this country and in Scotland the interchange of pulpits was general, and in the Church of England itself, after the Reformation, there were many instances where Nonconformist preachers who had not received Episcopal ordination were allowed by the authority of the Church to deliver sermons; and even since the Act of Uniformity there was the well-known case of Richard Baxter, who, under the sanction of the Bishop's licence, did address congregations assembled in Churches of the Establishment in Hertfordshire. As gifts of eloquence and wisdom, and the power of awaking the consciences and of appreciating the difficulties that trouble the present generation were not restricted to the circle of episcopally ordained clergymen, was there any necessity for shutting the ears of the congregation against all teaching that came through other than professional lips? Ought the State to maintain a restriction which was not imposed by the law of the Church, or by the rules of any other religious community? It might be feared that preachers who had not bound themselves by a professional tie, and by subscription to the Thirty-nine Articles, might disturb the minds of the audience by delivering sentiments different from those which they were accustomed to hear from their pastor; but the understanding on which he would be admitted would be a better guarantee than any number of Articles. Experience had shown that assent to the Thirty-nine Articles and the Book of Prayer was of no avail for producing an unanimity of opinion in a Church containing within its bosom High Churchism, Low Churchism, and Broad Churchism, the subscription of the Thirty-nine Articles was no guarantee for the teaching of the Church. The guarantee lay not in the subscription of the Articles, but in the personal examination by the Bishop who ordained the incumbent. Now, that guarantee was not destroyed by the Bill, because the Bishop or his Ordinary was the person who was to exercise his discretion, whether a person should be permitted to preach an occasional sermon or not. Nor could even the Bishop and the incumbent together grant such admission, for under the Bill the churchwardens, as representatives of the congregation, must join the incumbent in applying to the Bishop, and might at their option refuse to do so. As the consent of these authorities was thus required, no one who was objectionable could be admitted under the Bill. The chief advantage which he expected to derive from it was the removal of that exclusiveness which was not in harmony with the spirit of the Church itself, nor with the feelings of the people; but which had been imposed, not intentionally, but by doubtful inferences drawn from the Act of Uniformity. If anyone would take the trouble to visit all the places of worship in London on a Sunday—[*Laughter*]—well, he believed there were statisticians who would take that trouble, on successive days, if not on a single Sunday, they would find similarity of teaching on practical subjects of daily conduct and on the fundamental doctrines of Christianity, and that important degree of unity between people inside and outside the Church of England ought to be legally recognized, whereas, at present, the law set up a barrier of exclusiveness where no real antagonism existed. The Bill could not contain any definition of the persons to whom it might apply, it merely provided that he might be "anyone not in Holy Orders." The selection of the individual, the duration of the permission, the renewal of the repetition of it, were left to the concurrent discretion of the Bishop, the incumbent, and the representative of the parish or congregation. If this

Bill were passed it would probably be used chiefly for the admission of professional preachers. But if a Bishop or the ordinary of a Cathedral wished an audience to hear some distinguished layman gifted with special wisdom or knowledge, some writer reverenced as a teacher on moral and spiritual subjects through books, who might be willing to teach orally doctrines that he wished to bring home to the hearts of men; why should the congregation be deprived of this benefit, and it might be of some advantage to the clergyman himself. Were they real friends of the Church who would drive people to lecture halls and concert rooms, to seek that which might be put before them in the buildings of the national Church on occasions distinct from the ordinary morning and evening services held in theatres and other places, taken part in by men of all denominations, without the utterance of anything sectarian, had shown that there was a wide field of teaching on points on which all Christians were agreed. This united action should not be excluded from the Church of England, which in many respects was more comprehensive and tolerant than any other community. To some minds the different churches and religious demominations appeared as hostile camps or rival forces, intent on seizing every opportunity to assault and weaken their competitors. Incumbents who took that view would never open their pulpits to Nonconformists, and the Nonconformist Ministers who took the same aggressive view would not enter them by invitation. But to other minds the various religious communities appeared as separate regiments in the same army, waging war against the common enemies—infidelity and vice. Though known by different badges and by different watchwords, and armed with various weapons, and using various tactics, they seemed to move as allied forces, working by a common purpose towards the same end, and under the same general orders. Those who took this view, whether within or without the Church, would hail with satisfaction the passing of this Bill. They would see in it a recognition of the fact that the points of attraction binding Christians together are more important than the points of repulsion that separate, and that more co-operation and more tolerance were required for a successful issue to the great campaign in which they were engaged. It was with this object he had introduced the Bill. The right hon. Gentleman concluded by moving the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Cowper-Temple.*)

Mr. COLLINS, in moving "That the Bill be read a second time that day six months," said, he would not follow the right hon. Gentleman the Member for South Hants (Mr. Cowper-Temple) into his dissertation about the Council of Carthage, but he would affirm that there never had been a Church at any time which admitted persons into its pulpits who ostensibly belonged to a hostile community. With regard to the Begging Friars, it was notorious that they belonged to the Church which admitted them into its pulpits. Now, before they proceeded to alter the law which existed on the subject, they should inquire whether there was any reasonable number of persons in the country, either Churchmen or Nonconformists, who wished to have a measure of that sort? One would suppose that the right hon. Gentleman imagined that the Church of England was in contradistinction in the practice to other Churches throughout the world. In the Episcopal Church of America, the daughter Church, the very same rule prevailed as that to which the right hon. Gentleman objected; indeed, an American clergyman was once suspended or admonished for breaking it, and he challenged the production of any indication on the part of those self-governed bodies of a wish to open their pulpits to outsiders. In the English Church of South Africa, in the English Church of Australia, in the English Church of New Zealand, and in the English Church in the West Indies, he had yet to learn that a different rule had been introduced. The right hon. Gentleman had spoken of the Episcopal communion in Scotland and America, but he must be perfectly well aware that there was no analogy between admitting anyone to preach and admitting clergymen of sister or daughter Churches, who, though not having precisely the same Prayer-Book, had yet substantially the same creeds and formularies. As to the Scotch Episcopal Church, many of its

Bishops and clergy had English Orders, and had held English benefices, so that there was no analogy between its relation to the Church of England and that of Nonconformist communities. He denied that the restriction had been enacted by the State; it was really a restriction of the Church of England itself, and at a recent meeting of the Synod of Salisbury, in which it was the custom for the laity and clergy to vote separately, the laity, who were composed of persons of all politics, had unanimously rejected the proposal in the Bill, although a small minority favoured the Burials Bill. The House was told that the Bill could only be worked with the consent of the churchwardens; but the Church of England was not a Congregational body, and it was not wished that every congregation should do exactly as it liked, irrespective of the larger body to which it belonged. He had a great respect for Bishops, but he did not think it would be sufficient that it should be left to the Bishop to decide upon this question, nor would it be sufficient that the majority in any parish should decide. It was the fashion now-a-days to talk as though the minority had no right to rights; but the laity of the Church of England had by law rights which ought not to be taken from them at the will of a mere majority in any particular parish. The present Bill was one which he believed was not asked for by anybody—either by Churchmen or by Nonconformists. Another point was that there was no proper definition of what was meant by the term "occasional sermon;" and unless there was some restrictive meaning applied to it, the liberty given by the Bill would lead to great abuse. He objected to separate congregations in the Church of England taking an independent course of action, and setting up a little Bethel of their own, in spite probably of the remonstrances of a minority, and to allow a Bishop, acting without concert with his brethren or his clergy, to put the Bill into operation would be inconsistent with the safeguards which existed for the benefit of the laity. Everybody respected clergymen like Mr. Baptist Noel and Dr. Manning, who left the Church from conscientious feelings, but this was no reason for allowing them to occupy Church pulpits, and he believed Dissenting Ministers would think it a degradation to go cap in hand to churchwardens, clergymen, and Bishops for the purpose of preaching on sufferance in a Church from which, on political or doctrinal grounds, they dissented. Were the existing rule relaxed, a Bishop might be induced on the eve of an election to permit a candidate who advocated the rights of the Establishment to address the electors from the pulpit, perhaps, in order to lessen the irreverence, at a different hour from that of Divine service; or the hon. Alderman representing Lambeth might wish to discourse in some deserted City church on the enormities of the Endowed Schools Commissioners. He hoped never to see the day when the affairs of the Church of England should be converted into mere party questions; but it could hardly be maintained that it was a national Church when such a state of things should have been brought about. The House would have no right to legislate in this particular matter in the teeth of the wishes of the members of the Established Church, and surely there were not 5 per-cent of Churchmen who desired any such legislation, whilst at the same time the Nonconformists did not ask for it. He would, for those reasons, move the rejection of the Bill.

Mr. J. D. LEWIS, in seconding the Amendment, said, the time had again come when some protest should be entered against the kind of ecclesiastical legislation with which the House was being perpetually deluged. He had entered a similar protest in 1871 and had then shown that no less than 19 Bills affecting the Church of England were before the House, and he was quite certain that these "Ecclesiastical Wednesdays" were subjects, he would not say of ridicule, but of great surprise to many persons out-of-doors. He felt sure that no such Bill as the present one could for a moment be seriously discussed in any assembly having a moral right to represent the Church of England, and would deny that the clergy were seized with a violent desire to see Nonconformist ministers and laymen occupying their pulpits. Indeed, he believed their feelings were adequately expressed by an eminent Church dignitary who said he wished his pulpit to be as chaste as his wife. Although they had some grievances, which he believed to be well-founded, yet the Nonconformists themselves did not ask for that measure; neither did the congregations of the Established Church. In the discussion on that subject last year, it was said that if people did not like the occasional sermons that would be preached under that Bill, they might go to some other church; but, in the country districts, at least, where the churches were sometimes many miles apart, that argument would not apply. Then with regard to the alleged difficulty as to the practicability of Churchmen hearing celebrated preachers who did not belong to their own communion, there was really none. For instance, he (Mr. J. D. Lewis) recollected himself going one day to hear Mr. Spurgeon, not then in the zenith of his fame, but he could not get in except by the assistance of a friendly policeman, to whom he subsequently gave 5*s*. Afterwards he had reason, upon reflection, to think that that was not the best expenditure of 5*s*. which he had ever made in his life. Upon his leaving the chapel, he saw a long line of carriages with armorial bearings and other devices, which seemed to his mind to show that many members of the Church of England were probably among the congregation. He asked, was the present Bill intended to give eccentric clergymen the opportunity of placing clever Dissenting "stars" in their pulpits? He thought that that was a very dangerous principle for the House to accept, and that if they did they would get into endless difficulties in the matter. If there was such a violent desire on the part of congregations of the Established Church to hear Baptists, Moravians, and other Dissenters, in his opinion, the time for the disestablishment and disendowment of the Established Church had come; because, why should we go on paying a clergyman to do that which we wished others to do? It was not worth while making a revolution in the Church system for so difficult and doubtful an object. There were now two growing parties in the Church—the Ritualists and the Broad Churchmen. The late Bishop of Norwich — Bishop Hinds— carried Broad Church principles to the highest conceivable pitch, and wrote pamphlets which many persons would describe as infidel. Under that Bill, what security would they have that a Bishop of still more advanced views—and there might be such—might not allow Mr. Bradlaugh to occupy a Church pulpit, or, on the other hand, that a Ritualistic Bishop might not give a similar permission to a Jesuit preacher? He supposed it would be said that in such a case Mr. Bradlaugh would soon be prevented from preaching Atheism, and the Jesuit from preaching the doctrines of the Church of Rome. If, indeed, that were not prevented, then his argument against the Bill was all the stronger; but even on the assumption that it would be prevented, the effect of allowing such persons to put in an appearance in the Church's pulpits would be very mischievous. In reading *The Spectator* newspaper he found that a clergyman of the Church of England— the Rev. J. Josling, a Fellow of Christ's College, Cambridge—expressed a wish to have a downright honest man like Professor Fawcett in his pulpit on Sunday afternoon to instruct people in political economy. That, he supposed, might include a dissertation on Indian finance. The hon. Gentleman the Member for Brighton was united to an amiable and talented lady, who was also in the habit of addressing public audiences; and it was uncertain whether she also would not be admitted to the pulpit under the terms of the Bill. If not, in these days of women's rights agitations, a claim to equality between the sexes in this respect would no doubt soon be set up. The Quakers already had female preachers; and, in fact, one of the most able sermons he (Mr. J. D. Lewis) had ever heard was delivered by a lady, and why, under the measure before them, should not ladies be allowed to preach? Was the House really prepared for that? If they permitted all that, the doctrine and discipline of the Church would soon become—to use a metaphor of the Prime Minister, in what might almost be called an occasional sermon—as unsettled and as floating as the island of Delos. Those who were really opposed to the Church as an Establishment should vote manfully for the proposals of the hon. Member for Bradford (Mr. Miall); but they should not seek to impose on the Church, in consequence of her present shackles, legislation which would never be submitted to for an instant by any other religious denomination.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Collins.*)

MR. T. HUGHES said, the adoption of the principle embodied in the Bill would, he had no doubt, lead to a great deal of good. He was sorry to have to complain of the tone of exaggeration indulged in by the hon. Mover of the Amendment, and he maintained that, even if the supporters of the Bill were a minority in the Church, still they were a considerable minority, and as such their opinions and their rights were entitled to respect. The Episcopal Churches in the colonies, referred to by the hon. Member for Boston (Mr. Collins), were narrower in doctrine and discipline than the mother Church in England; and if the latter set them an example by giving more freedom in the use of her pulpits, the daughter Churches would, no doubt, soon do the same. He could not admit the broad assertion of the hon. Member, that such a practice as that proposed by the Bill was totally unknown in the colonial churches. He was inclined to think that lay preachers were allowed in some colonies, but had no positive proof to offer, any more than the hon. Member had for his assertion. Although the Church was never more vigorous and active in doing good than at present, yet the luxury and the materialism rapidly spreading over the country, with the scepticism which always followed in their wake, called for all the efforts, not only of the national Church, but of every other religious community, to keep them down. It was therefore a time for making common cause with all Christian denominations, and not for standing apart. There was no pretence for saying that the Bill would revolutionize the Church, for at that moment the clergy of the Church of England could preach in the pulpits of other denominations. Two years ago the Archbishop of York and the Bishop of Winchester occupied pulpits and took part in services other than those of their own Church, and he honoured those Prelates for setting so good an example. The change, therefore, now asked for was not so very great. It was only giving clergy of other denominations the opportunity, if requested by proper authority, to do what our Prelates had done. He wished to see more of the established clergy acting in the same way, and a reciprocal Christian feeling displayed between different Churches. If, for example, a clergyman of the Church of England had Dr. Livingstone, the African explorer, who was a minister of a Nonconformist community, staying with him on a visit, why should he not be able to give the use of his pulpit to that great and good man, for the edification of his parishioners? He was surprised that anyone could imagine there was any impropriety in the proceeding. The Bishops knew their clergy well, and would not grant that power to men who were not likely to exercise it discreetly. The Nonconformists did not at all seem to appreciate the true position of the Church of England. The hon. Member for Bradford (Mr. Miall) had spoken scornfully of the Established Church as a Department of State, like the Army or Navy. For his own part, he was quite ready to admit that that was true. The Church was much more than a Department of State, but it was also undoubtedly that. For some purposes it was just as much the business of the House to deal with the property and the government of the national Church, and if necessary also with its doctrines and discipline, as with the organization and administration of the Army or the Navy. Some Dissenters seemed to think they had nothing to do with this particular question; but surely they had as much right to express their opinion upon it as though it belonged to a purely secular matter. He would liken the various religious Bodies of the country to the Army, comparing the Established Church to the Regular Forces and the Dissenting denominations to the Volunteers, contending that as both those great branches of the military service were intended to act harmoniously together against the visible enemies of the State, so the Church of England and the Nonconformist auxiliaries should fight side by side against its invisible enemies—their common foes. He had been asked who desired the Bill, and he might say that it originated with the Church Reform Association, of which he was a member, and which desired to see the national Church re-adapted to the requirements of the present state of society, instead of being confined in the fetters of the Act of Uniformity, which was entirely out of sympathy with modern thought and ideas. That was a task from the performance of which the House and the Government ought not, any more than they had done in the case of the Army, to shrink. As the proposed change was, after all, only a minute one, the House would, he hoped, read the Bill a second time, and thus do something to reorganize the Church of England and adapt her more to the wants of modern society.

MR. GLADSTONE: Sir, I think it is the first duty of anyone who addresses himself to the consideration of this important, and by no means minute, subject, to acknowledge frankly that there is no exception to be taken to the manner, the motives, or the intentions of my right hon. Friend who has brought forward the present Bill, the Member for South Hants (Mr. Cowper-Temple), or of my hon. and learned Friend the Member for Frome (Mr. T. Hughes), by whom it is supported. Of the Church Reform Association I am almost ashamed to confess I have hitherto been in deplorable ignorance. I am unacquainted with its members, its organization, and until to-day did not know even of its existence. I nevertheless fully admit that any proposal made by two hon. Members of this House, like those by whom this measure is submitted to our notice, is in every way entitled to our consideration. Up to this, I have taken no part in the debates on the subject; I advisedly abstained from doing so last Session, for I was desirous to stand by and see what was the view of the House with regard to it; and it is not, I may add, in an official capacity, nor as a Member of the Government, that I venture to interpose in the discussion on the present occasion. I should like to invite the attention of the supporters of the Bill to what occurred last year. No attempt was then made to treat this as a party question. My right hon. Friend then laid before the House, with great force, all the arguments in favour of this proposal, but his Bill was rejected on the second reading by 177 to 116 votes, the majority not being composed according to the lines of party, but consisting of hon. Members who had freely and conscientiously formed their opinions on the merits of the case. Is it under these circumstances wise—I would almost say is it equitable to the House—that it should from year to year, in obedience to the wishes of the Church Reform Association, be invited to expend some hours of that most rare and precious commodity, its time, in the discussion of this question? My hon. and learned Friend, not content with that, has brought a charge against the House, the justice of which I, for one, cannot admit. He says the House of Commons is most grossly shirking its duty in this matter, that there is a great province of legislation into which it has shown itself unwilling to enter. But surely the fact mentioned by the hon. Member for Devonport (Mr. J. D. Lewis) that there are not fewer than 19 Bills dealing with the internal organization of the Church of England now before Parliament, bears unchallengeable testimony against the justice of the view which he takes, and that the House and the Executive Government have in this respect by no means shown themselves neglectful. I cannot help thinking, however, that my hon. and learned Friend is preaching to deaf ears. I so far agree with the hon. Member for Devonport—to the excellence of whose speech I bear my most ready testimony—that, although the Established Church in a country ought not to be held to be entirely beyond the scope of legislation, yet that it is wise for an Assembly like the House of Commons, to restrain its intervention with it to matters within the limits of strict necessity, and not to charge itself with a duty which I venture to say neither the Constitution nor the practice of Parliamentary government imposes upon it. My hon. and learned Friend might have been more humane than to have brought such a charge as that of shirking its duty against an overtaxed and overburdened House, which finds itself unable year after year, notwithstanding that it taxes all its mental and physical energies on the work, and goes through an amount of labour which has never been equalled by any deliberative Assembly in the world, to cope with the enormous mass of business which it has to transact. I do not think, moreover, that it is reasonable to ask this House, which is a mixed body, and which grows more and more mixed from Parliament to Parliament—I hope it will long continue to be a mixed body, because otherwise it would not be a fair representation of the people of this country—to deal with proposals of this kind. I deny that the House of Commons is well adapted by its own internal constitution to interfere beyond the limits of necessary intervention in the details of ecclesiastical legislation. What has been our practice? When important changes affecting the doctrine and discipline and property of the Church have been made, the initiative has always been taken by the Crown. I do not think my hon. and learned Friend will find in the whole range of his constitutional studies a single case—certainly, extremely few cases—where a great ecclesiastical change has been undertaken by this House without that initiative. That is an important fact, not as relating to the power of the House, but as testifying that both it and the country have thought it wise that the initiative of the Crown should be employed in the first instance before those great changes were made. The questions themselves, too, have passed under the consideration of the clergy, and we have generally been content in these cases to allow the legislation with respect to them to be matured in the House of Lords before submitting them to the deliberations of the popular Assembly. In taking that course, I do not believe the House of Commons has displayed any cowardice, but rather a wise abstinence and a forbearance than which nothing in its conduct is more remarkable; for while it is thoroughly adapted to deal with all other departments of legislation it has seen, as it were intuitively, that in the course of a work for which it was less adapted, it would be well to restrict its intervention. I would appeal, then, to my right hon. Friend the Member for South Hants to consider for a moment the reception which his Bill has met with on the present occasion. He has manfully and ably argued in support of it; but I would ask him whether he himself thinks that the opinion of the House is in its favour? Is it not clear that the House shrinks from experimenting in these matters? It is all very well to talk of the rights of a minority; but when men desire to make important changes in the most critical subject-matter in opposition to, and in defiance of, the feelings and convictions of those who are to be affected by those changes, it is not possible, under the plea of rights of a minority, to justify a proposal such as the present; for if those rights are to be respected—and they are to be respected—we must not forget that the majority has rights also. There is such a thing as what is called moral unanimity, and in my opinion, the moral unanimity of the members of the Church of England is opposed to the change which is now proposed. My right hon. Friend has mentioned the case of Origen, to show that there are precedents for addresses from the pulpit from others besides clergymen; but when Origen addressed a congregation as a layman he did so subject to the laws and regulations of the Church, and my right hon. Friend omitted to tell us, that this Bill proposes to introduce solemn addresses for the first time to be made to Christian congregations by persons who are to be under no limitations and under no responsibility whatever as to that which they may say. They are not to be called upon to subscribe to anything beforehand, and if they choose to preach that which they know to be odious to the congregation they are addressing, and opposed at every point to the laws of the Church, they are to undergo no punishment and to be subject to no reproof, while the offence may from day to day be repeated. Compare that with a state of things in which you have an Establishment with regular teachers, who are limited by subscription, and who are liable to be severely censured by an Ecclesiastical Court for misconduct or for any deviation from an established standard, and let me ask, do you think it desirable to set up alongside those men another set of teachers such as I have just described, without the slightest responsibility of any kind, either before or after they have given expression to their sentiments? It has been well said by my hon. Friend the Member for Devonport that as matters now stand, the Bishop is well able to form a judgment with respect to his own clergy, because he knows them; and my hon. and learned Friend the Member for Frome contends there will be the same security under the Bill, inasmuch as that when an application is made to the Bishop by one of his clergymen that some one else should take his place in the pulpit, the Bishop will know whether the applicant is a man who is to be trusted or not, and that if he is to be trusted he will grant the application, and otherwise will refuse it. It seems, according to the argument of my hon. and learned Friend, that the Bishop is to divide his clergy into two classes—those who are to be trusted and those who are not, and that to the one class he is to say—"True, I know nothing of the individual whom you recommend to supply your place, but I know you are to be trusted, and therefore he may preach." To the unfortunate clergyman, however, who happened to be in the category of those not to be trusted, a refusal would, as a matter of course, be given. I do not think that is a state of things which the House would like to see established throughout the country. But one of my strongest objections to this Bill is the total absence from it of any protection for the congregation. I venture to say that what is called the liberty of the clergy—the unrestrained liberty of the clergy—is the slavery of the laity. To the introduction of such slavery I, for one, will be no party. The congregations of the Church of England have some right to know what is to be preached from their pulpits. The spirit of the Church of England is tolerant and liberal, but in conjunction with her liberality there is law, and the limits fixed by that law are real limits, and these the Bill of my right hon. Friend would altogether remove. He provides, indeed, as a security that there is to be the demand of the incumbent and two churchwardens, and that the assent of the Bishop and Ordinary to any application under the provisions of the Bill will be required. Now, I would observe that the addition of the Ordinary is a very important addition indeed. I have not been able to lay my hands on a perfect account of the legal meaning of the word "Ordinary" in the ecclesiastical law of this country. I see opposite to me a right hon. and learned Gentleman (Dr. Ball), who has just entered the House, and who, no doubt, would be able to explain the matter. I believe I may safely say that an Ordinary is not always a Bishop, and that a Bishop is not always an Ordinary. A Bishop is a person of great responsibility, of high station and character, whose acts are carefully watched by public opinion. There are, however, many churches in which the Bishop is not the Ordinary. In cathedral and collegiate churches, I apprehend he is not, and Ordinaries are in a great many instances men of whom public opinion knows very little, and over whom it exercises, consequently, scarcely any check. That being so, I object altogether to substitute for the known fixed laws of the Church of England restraints which would depend on their mere arbitrary will. My hon. and learned Friend has told us that the unity which he advocates is actually to be found in St. James's Hall, but let me remind him that those who assemble there go there willingly. They do not go there, because it is their parish church; they do not go there to have inflicted upon them, by what I think would be offensive legislation, teachings which they do not desire to hear from persons whose authority they do not acknowledge. "But," says my hon. and learned Friend, "are we not all merely different regiments of the same Army?" Well, the Bill says nothing about the Nonconformists, or the members of the Established Church of Scotland, and, as was very ably argued by the hon. Member for Boston (Mr. Collins), any person whatever, and not any particular person, may be qualified to preach under its provisions. Every man who has left the Church of England on grounds of conscience, or because he could not accept its doctrines, or because he found himself impelled by irresistible impulse to join some other religious communion, or because he had been dismissed by the lawful authorities of the Church from her fold, may preach, according to the proposal of my right hon. Friend, if he can only find an Ordinary, an incumbent, and two churchwardens to make an application on his behalf. As to the churchwardens, they are, in some cases, not the representatives of the congregation at all. One of them is, as a rule, the representative of the incumbent, and the other of the ratepayers. What security, then, have the congregation against the great wrong which, in my opinion, this Bill threatens to inflict upon them? When we are told that we are all regiments of the same army, I, for one, am fully prepared to respond to the feeling which prompted that observation. Acting within proper limits, nothing can be more amiable and wise than that frame of mind and temper which endeavours to establish bonds of sympathy and co-operation between the members of different religious Bodies. That principle of moral co-operation I hold it to be a high duty to recognize; but to revert to my hon. and learned Friend's illustration, borrowed from the Army, I must say that I do not think it is open to a Volunteer on the march to announce that he is about to leave the ranks and join the Militia; or, on the occasion of the Autumnal Manœuvres to declare it to be his intention to try what he could do with the Regular Army. There is, I may further observe, a fundamental fallacy in the idea that laws are in themselves evil, and that all restraints are to be regarded as mischievous. Of course, laws that are unnecessary, frivolous, and minute beyond the necessities of the case are evils, and ought to be done away with; but laws intended and calculated to secure the necessary condition of order and regularity are vital to the health of the body, and we ought not to allow ourselves to be inveigled, under the name of liberty or any other name, to assent to that destruction of discipline which is the real harbinger of religious chaos. I do full justice to the motives of my right hon. Friend. The promotion of goodwill is the object which he has in view, but if he proceeds, though animated by the best intentions, to force legislation of this class on a body unprepared for it, or I should rather say prepared for it in the sense of being determined to resist it, it is idle for him to suppose that he will succeed in attaining the end at which he aims. A very serious blow will be inflicted upon the very liberty which the Bill professes to achieve; for it is inconsistent to suppose that we can force men peaceably into a state of goodwill by violent legislation of this kind. He begins by sacrificing order for what he imagines will be religious peace, and he will find he has ended by sacrificing religious peace for the sake of what is a real chimera.

Mr. ILLINGWORTH said, he thought it would be premature to force legislation of the character contained in the Bill upon the country; and he was satisfied that if it passed, the result would be that the new law would become a dead letter, for the simple reason that the Nonconformists had no desire for legislation under the operation of which they might be smuggled into the pulpits of the Established Church, to preach, as was suggested, on Sunday afternoons, when it was probably supposed the respectable portion of the congregation would be at their homes, and the addresses made would have to be delivered to members of the servant-girl class. He looked upon the Bill as utterly useless, and as likely to be regarded by the Nonconformists rather in the light of an insult than otherwise. He objected to all such tinkering as this measure proposed until the Church was rendered completely independent, and if the hon. and learned Member for Frome (Mr. T. Hughes) really wished to undertake a work that would greatly tend to promote goodwill he would introduce a measure to disestablish the Church.

Mr. MACFIE expressed a wish on behalf of his fellow-countrymen that Parliament would revert to its old views and ancient usage. He held in his hand a work printed by the King's printer in the reign of Charles II., by which it appeared that the Parliament of that time and more than 4,000 ministers of religion agreed in this—that the Churches of God in the three kingdoms should aim at the nearest conjunction and uniformity of religion. They went too far, but Christians of these days had unfortunately determined that we must preserve religious distinctions. Why should there not be an occasional interchange of pulpits to mark that though we were in different regiments we were all marching under the same glorious banner? As a non-Episcopalian Scotchman, he contended that the object of this Bill was not to restrict religious liberty, but to extend it, and to allow the Church of England, through her officers, to do that which other Churches found it both right and expedient to do.

Mr. BASSETT said, he had the greatest sympathy with preaching laymen, but he deprecated the interference of Parliament in this matter, being of opinion that the Church of England ought to be left to settle her own internal affairs.

Mr. COWPER-TEMPLE believed that a large body of Nonconformists were actuated by feelings very different from those of the hon. Member for Knaresborough (Mr. Illingworth). After the appeal which had been made to him by the Prime Minister he would not occupy the time of the House by asking for a division, after the small amount of support that had been given to it.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 53; Noes 199: Majority 146.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

INFANTICIDE LAW AMENDMENT BILL.

(*Mr. Charley, Mr. Gilpin, Mr. Charles Lewis.*)

[BILL 42.] SECOND READING.

Order for Second Reading read.

MR. CHARLEY, in moving "That the Bill be now read a second time," said, its object was to provide a remedy against the crime of infanticide by creating a new offence midway between murder and manslaughter on the one hand, and concealment of birth on the other. The murder of newly-born infants, like the murder of adults, was punishable by death; but juries in these days were as reluctant to pronounce a verdict of wilful murder in a case of infanticide as juries were formerly to pronounce a verdict of guilty against persons accused of the then capital offence of sheep stealing. It appeared from Mr. Neilson Hancock's "Judicial Statistics" for 1872, that in Ireland the number of infanticides committed annually was about 27 times the number of other murders committed annually in that country; and that in England the proportion of infanticides to other murders was about 66 to 1. Lord Sydney Godolphin Osborne, in giving evidence before the Capital Punishment Commission, said that "In nine cases out of ten a trial for infanticide was only a cruel farce," in consequence of the reluctance of juries to pronounce a verdict of wilful murder in such cases. The law itself threw many difficulties in the way of a conviction by enabling the jury to find a verdict of concealment of birth on an indictment for murder, and by requiring proof that the child was completely born alive at the time it was destroyed. If the crime was made punishable in a manner more in accordance with public sentiment, convictions would be more frequently obtained. It was important at the same time that the Legislature should show that the life of an infant was as precious in its eyes as the life of a person of maturer years, and therefore the Bill did not interfere with the law of capital punishment, but it gave the alternative of proceeding for murder or for the new offence created by this Bill, which was founded upon the recommendations of the Commission which reported in 1866 on the subject of Capital Punishment. That Commission were of opinion that an Act should be passed making it impossible for a jury to find a verdict of concealment on an indictment for murder, and declaring it to be an offence punishable by penal servitude or imprisonment, at the discretion of the Court, to inflict malicious injuries upon an infant during its birth or within seven days afterwards. The House of Lords passed a Bill "for giving protection to new-born children," in 1866, which had been followed to some extent in framing this Bill. There were very eminent authorities in favour of a course being taken similar to that proposed by the Bill. For instance, Mr. Avory, clerk of arraigns at the Central Criminal Court, in his evidence before the Commission of 1866, said, there was a growing disposition not to convict of murder for killing new-born children, and when convictions did take place, not to carry the sentence into effect. Mr. Baron Martin was of opinion that some punishment short of death should be inflicted. Mr. Justice Willes also gave evidence as to the the difficulty of proving the offence, and said that there should be a distinct Act of Parliament to meet the case, by analogy to the principle of the Treason Felony Act. Mr. Walpole also was of opinion that infanticide should form a distinct offence, and not be treated as murder, and Lord Cranworth expressed a similar opinion. Lord Wensleydale, Mr. Serjeant Parry, Mr. Fitzjames Stephen, and the Lord Chief Baron were in favour of a similar change in the law, Lord Wensleydale observing that concealment of birth should be more severely punished than was now the case. The Bill had been brought forward under the auspices of the Infant Life Protection Society, and he hoped that there being so overwhelming a weight of authority in favour of its principles, the Government would see their way clearly to support the second reading of the Bill. That Bill was, in all probability, the last which he should have the privilege of bringing before the House on behalf of that society; for their efforts in future would be directed less to legislation, and more to utilizing the legislation which had happily already been obtained. The present Parliament, if it passed this Bill, would have the satisfaction of knowing that it had availed itself of every opportunity of affirming the sacredness and strengthening the securities for the protection of infant life.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Charley.*)

Mr. BRUCE admitted the lamentable prevalence of infanticide, and that juries too often returned verdicts not in accordance with the facts, in order to avoid convicting for murder. At the same time, the question of infanticide was only part of a very much larger question which had formed the subject of inquiry by a Royal Commission. He saw on the opposite bench two Members of that Commission (Mr. G. Hardy and Mr. Hunt) who, no doubt, must have felt the great importance and difficulty of the whole subject, or they would have availed themselves of the opportunities they had when in office to introduce a measure dealing with it. The evils which were now to be deplored in this country, arising from the frequency of infanticide, were so great that he should be sorry to throw obstacles in the way of the Bill, if it were not that the Government were themselves prepared to deal with the whole subject. Indeed, in answer to a Question, he had already stated that the Government had prepared a Bill. But the hon. and learned Member for Salford (Mr. Charley) must know that infanticide was not the only case in which juries returned verdicts in evasion of the law; and all these cases must be considered together. It was true that the Government had not introduced their measure, for they had learned by experience, that the best way to obstruct legislation was to attempt to do too much at one time. The passing of that Bill, therefore, or even its introduction that Session, would depend upon the progress made with the other business before the House. As to the measure under consideration, it was proposed by the 3rd clause to make all child murder at or immediately after birth a felony punishable only by a maximum sentence of 10 years' penal servitude. Such a provision would apply in cases where an inconvenient heir of an estate was made away with; it would apply not only to the mother but to other persons aiding her, and it might thus extend to crimes which ought not to be placed in the same category with murders committed by the mother at the moment of birth, when she might be pressed by hunger or despair. During the last 20 years there had been no instance in which a mother had been executed for infanticide. At the same time it would be most rash and dangerous to say that that which might not amount to murder in a mother, or in most cases, was not murder in any case. The whole subject must be before the House before a proper decision could be come to; and it was for this reason, without questioning the propriety of the legislation proposed by the hon. and learned Gentleman, that he asked him to withdraw the Bill and leave the subject in the hands of the Government.

Mr. HOLKER said, the subject under consideration was very simple, and did not demand any great degree of carefulness on the part of hon. Members. Considerable experience led him to the conclusion that the criminal law as to infanticide was highly unsatisfactory and required amendment. In fact, he did not remember a case in which a woman indicted for the crime of child murder had been convicted when the murder was committed at the time of birth or soon afterwards. In order to make out the offence, it was necessary to prove that a child was born alive and that an independent circulation had begun in the child's system. In 99 cases out of 100, however, medical men were unable to state with any degree of positiveness that the child had been born with a complete circulation; and then, though you might have the clearest proof of the mother's intention to take life, a loophole of escape was afforded to the jury, of which they availed themselves in order to avoid returning a verdict of wilful murder. Again, the fact seldom warranted a conviction for concealment of birth, because, in order to make out that offence, it must be shown that there had been an attempt to dispose secretly of the body, and thus the mother escaped punishment altogether. If this Bill passed, it would not, in heinous offences, prevent any woman from being indicted for the capital crime along with anybody who aided and abetted her, while it would insure punishment in more common cases where punishment was deserved. Believing that the Bill was a useful though an unambitious amendment of the law, he should support the second reading.

Mr. GATHORNE HARDY, as a Member of the Royal Commission which had inquired into the law of murder, did not recede from the view that the law respecting infanticide was in a most unsatisfactory condition, and he thought the House might safely affirm the principle contained in the Preamble of the Bill—that it was expedient to amend the law on that subject. He might mention that when the Government of which he was a Member were in Office, his right hon. Friend (Mr. Walpole) had brought in a Bill on this subject, but through a multiplicity of business it was not pressed; and he would remind the right hon. Gentleman the Home Secretary that the Government of that day were not allowed much time to carry that or any of their measures. The difficulties connected with the law of murder were greater than those relating to infanticide. It was quite clear, however, that the Bill as it stood would require much amendment. For example, it would apply to the whole world the punishment which should only apply to the mother under the peculiar circumstances in which she was often placed, and even the mother might destroy the life of her child for other reasons than those stated. Of course, you might still prefer a charge of murder; but if the Bill passed an indictment for murder would hardly ever be resorted to. Since the passing of the statute creating the offence of treason-felony, indictments for treason had been, and would be, very infrequent. It was found that there was a greater certainty of conviction upon the minor offence; and here also, though you reserved the power of trial upon the capital offence for murder committed at birth, pleaders would never in practice recommend an indictment for murder under such circumstances, unless the offence were of a very atrocious character indeed, and such as to ensure conviction. At present there was, as his hon. and learned Friend the Member for Salford (Mr. Charley) had pointed out, great difficulty in proving the birth of a living child, and a mother could not even be convicted for concealment of birth unless there was a secret disposal of the body. Even then, upon conviction for concealment of birth, the punishment was almost a nominal one, so that the mother obtained practical immunity for a great crime. He rejoiced that the Government had taken up the whole subject, and suggested that, meanwhile, the right hon. Gentleman should at least bring forward a Bill to amend the law respecting infanticide, because upon that question he believed there would be no difference of opinion in the House. Upon that understanding, he would recommend his hon. and learned Friend to withdraw the Bill after its principle had been affirmed by the House.

Sir GEORGE GREY said, no one could feel more deeply than he did the anomaly of the existing law and the expediency of altering it; but after the statement made by the right hon. Gentleman the Home Secretary, it would be better to leave the subject in the hands of the Government. He would suggest to his right hon. Friend that the Government measure might be properly introduced in the other House of Parliament; for as the Bill had been prepared, Parliament ought not to lose a chance of passing it even in the present Session, and there were Members of the other House eminently qualified to deal with it. There was another point to which he would direct attention. By the law as it stood, the Judge was compelled in cases of murder to pass sentence of death in open Court; but after sentence passed in this way on women for child murder the Judge almost always wrote to the Secretary of State recommending a mitigation of the punishment. There were also various degrees of murder in some of which the Judge felt that it was not expedient that the sentence he passed should actually be inflicted. The Secretary of State invariably acted upon the recommendation of the Judge, though he appeared to the public to be setting aside his decision. It was clearly better to adhere to the sentence passed in open Court; and this sentence should, as far possible, be made conformable with the actual punishment inflicted.

Sir GEORGE JENKINSON joined in the recommendation addressed to the hon. and learned Gentleman (Mr. Charley) to leave the subject in the hands of the Government, who would be responsible for legislation.

Mr. HUNT agreed that the Bill which the right hon. Gentleman the Home Secretary said was ready might with advantage be introduced into the other House of Parliament. He also thought that if the House of Commons were in favour of the principle of the Bill now under consideration, there was no reason why it should not pass the second reading, and by thus affirming its principle give a certain stimulus to the Government. Everyone who had spoken had agreed that some amendment of the law was required, and he hoped, therefore, that the Government would allow the Bill to be read a second time. If so, he understood the hon. and learned Gentleman (Mr. Charley) would be willing to withdraw the measure.

The ATTORNEY GENERAL said, if the House desired to pass the second reading, there would be no objection on the part of the Government on the understanding just mentioned; but they could not pledge themselves to many of its provisions. As to the Government measure, its general principle might be gathered from a Bill brought in last year by the right hon. Gentleman the Recorder of London. That was a large measure, dealing with the whole subject of the law of homicide, and incidentally with that of infanticide.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday* 13th June.

SHIPPING SURVEY, &c. BILL—[Bill 43.]

(*Mr. Plimsoll, Mr. Horsman, Mr. Charles Lewis, Mr. Staveley Hill, Mr. Samuda, Mr. Carter, Sir Henry Selwin-Ibbetson, Sir Robert Torrens, Mr. Eykyn, Mr. Leeman.*)

SECOND READING.

Order for Second Reading read.

Mr. PLIMSOLL, in moving that the Bill be now read a second time, said, if, in the excess of his anxiety that a measure should pass that Session dealing with the more obvious and easily remediable cases of loss of life at sea, he should show any intemperance of language or feeling, he trusted the House would grant him some indulgence, because it would arise from his conviction that the lives of many hundred men hung in the balance at that moment. He had been repeatedly and from many quarters charged with making exaggerated statements respecting that great evil, and some of these charges were probably made in perfect good faith. Hitherto, however, he believed he had made no specific statement whatever which was incapable of proof; but he thought it desirable to supplement his own statement of the case by the evidence of one or two witnesses who would be accepted by the House as unimpeachable. The underwriters at Liverpool might be supposed to understand the question under consideration; and at a meeting held by them some time ago, he found that a question submitted to the shareholders was the increase apparent not only in the magnitude, but the number of marine disasters; and that, notwithstanding our boasted improvements in naval science, and when we seemed to have reduced within narrow limits every element of danger. Unfortunately—it was said at that meeting—underwriters had to deal occasionally with men who cared little about the profits of the carrying trade; men whose whole commercial history was made up of accommodation bills, average statements, liquidations, and composition deeds; who were always on the look-out for some crazy craft to insure; who stood in the same position as to underwriters which Palmer stood in as to Life Assurance Companies; who pursued their nefarious calling under an honourable garb, and sometimes under the cloak of religion; and it was such men who were responsible for the heavy losses which underwriters had to sustain. He had stated that he believed these were the practices of but a very small number of men; and he thought it wonderful that in the absence of all legislation on the subject, things were no worse than they were, and that the great majority of those who were connected with our shipping trade had so much care for the lives of their seamen. The next case he would refer to, in order to prove that his statements were not exaggerated, was that of a well-known shipowner of Shields, who had made over £100,000 by these practices, in such a way that when he died the police had to be brought to protect his remains to the grave, on account of the indignation of the multitude of women and children who followed to pelt the hearse with mud. He would now read a letter from Mr. James O'Dowd, a gentleman who had conducted for many years all the investigations of the Board of Trade into cases of wreck, but who had at last retired in disgust from the task, alleging that he was ashamed to be a party to it. Mr. O'Dowd, who had kindly permitted him to mention his name, wrote from the Custom House, February 24, 1873, as follows:—

> "Sir,—You have made a move in the cause of humanity for which you deserve immortal credit. I have not seen your book, but I read a review of it in *The Times* with the deepest interest. Cases have occurred where delinquents have been executed for murder who deserved the gallows less than the moneyed barbarians who have sent overladen ships to sea. I send you enclosed an illustration of the justice of my statement. But, to judge accurately of the disgraceful case, you should read the evidence on the inquiry. It was proved that the decks were so laden with bales of cotton that the crew had to stand and walk on the top of them so as to navigate the ship; and Mr.———, a shipowner examined for the defence, swore that the higher the bales were piled the more it conduced to safety, as, if the ship went down, the crew and passengers would have a better chance of escaping."

Briefly, the facts were these—2,700 and odd lives were every year lost by shipwreck. He did not think that a fourth of that loss could be traced to well-found, well-loaded, well-manned ships. We had no records in this country to account for the loss of such ships except in fog; though, no doubt, some casualties were due to negligence. Many people talked of shipowners being "unfortunate." There was no such word. If an old woman was brought before a magistrate for trying to persuade some credulous servant-maid that the stars had some malign influence over her destiny, she was, very properly, sent to prison as an impostor. And yet we were asked to believe that the winds had favourites. No such thing. When the winds blew, if they found a ship well-manned she was buffeted about, but those on board were in no danger. But in those long, low, narrow, overladen beasts of ships, when the ship could not ride over the waves, the waves rode over the ship, with the men in her—often a thousand times better men than those who sent them to sea. In fact, he believed that by proper legislation, they could so reduce the loss of life from shipwreck as to make everyone wonder that the attention of the Legislature had not been directed to the subject before. It was said he ought to be satisfied with having got a Commission. Well, he sincerely hoped and believed that the Commission would do much good; but, if so, it ought to have plenty of time to investigate that important subject in all its bearings. But it could not have all the time required, unless some temporary measure was passed; if that were not done, we should incur all the danger of an ill-considered and hasty Report. On the other hand, if a temporary measure were passed, which need not infringe at all on the dignity of the Commission, there would be no occasion to hurry, and then we should have proper measures recommended. It was perfectly competent by the forms of the House to pass a temporary Bill, and move for a Royal Commission. It was also said that his head was turned with the favour which he had received from the public and from that honourable House. No such thing. In the book which he had published, it would be seen that he had already traced for himself the course which he was now pursuing. He had done nothing hastily, nothing rashly; he had discounted beforehand, and still did discount, all the annoyance that might come upon him, and he was able to bear up against it, because he was prepared for it. He had taken up the matter calmly and deliberately, believing that no good would be done until some one should take it up regardless of consequences. His course, therefore was a resolute and consistent course, taken up after full deliberation and pursued through good and evil report. It had been alleged that the survey which he proposed would create enormous inconvenience to the shipping interest. But if the House would now consent to the second reading of the Bill, he should not propose to proceed with the Committee until the end of June, because he should hope in the meantime that the Government would offer a measure based perhaps on an *ad interim* Report of the Royal Commission. Further, the inconvenience to the shipping interest might be lessened by postponing the operation of the Act, should it become one, until the 1st of

November. Another thing that would lessen the inconvenience was this—ships built within the last four or five years, and, therefore, presumably seaworthy, might be exempted from the operation of the Act, until they were five years old. He now came to the load line, which, most unfortunately for him, had been described as a "hard-and-fast line." It appeared so in the Schedule, but was not intended to be so. What he desired to arrive at was such a degree of immersion as, in the opinion of the most experienced men, a ship might safely put to sea with. The principle he had in view was this—that ships needing repairs should not be allowed to go to sea until they had been repaired, nor should ships be overloaded to a degree that would endanger their safety. What he proposed in this respect would be capable of instant application. On Saturday last, he was at Newcastle, and some shipowners there pressed him to attend a meeting of their body at the Guildhall. He did so, and a deputation was appointed to proceed to London this week to confer with him and the President of the Board of Trade. Having given in detail an account of what he proposed, the Chairman said that he had never heard the matter put in that light before, and another gentleman remarked that if they had known before what he had proposed there would have been no opposition from them to it. They then submitted to him a scale of freeboard proposed by a gentleman of Hartlepool of considerable experience, and he thought it very excellent. He had since consulted persons of authority on the subject, and they said that it was possible before winter to apply the principle in question, and he should gladly adopt it, and be willing to see it accepted in Committee. He did not want to subject respectable shipowners to the slightest inconvenience. His object was to put his foot on those who were unsound. Now, with regard to deck-loading, the law prohibiting the practice altogether had been swept away in 1862, as it was said, in the interests of trade, and with the most mischievous results. He proposed that it should be revived under certain regulations. It was said that other nations would have an advantage over us if we imposed restrictions in this respect. No such thing. It was we who gave the law to maritime nations, and Canada, with her seaboard frozen up four months of the year, had not been slow to set us a good example, for she had that year passed an Act prohibiting deck-loading between certain months and limiting it in others. He had been asked by the assembled shipowners at Newcastle whether he would accept certain limitations which they approved instead of his own, and he should be very glad to do so in Committee. With reference to fees, it was said that to charge shipowners fees would be unfair. He admitted the abstract justice of the objection; but he could not omit fees in the measure, lest, in any way, he might inflict an injury upon Lloyd's and other shipping associations. Before the Royal Commission finished its labours he believed it would be necessary to subsidize those great agencies, to give them the protection of the law, and ask them to undertake certain work which he felt sure the State could not perform. He was told that Lloyd's and the Liverpool people were about to amalgamate, and if they did we should have a magnificent staff of able and competent men capable of doing everything that would be required. They already surveyed 11,000 out of a total of 26,000 ships. He believed that the Bill now before the House, the second reading of which he was advocating in the interest of hundreds of living men, who would cease to be living men within 12 months if it did not pass, would be received with favour by the shipowners of the country generally. He felt warranted in saying so from the assurances he had received. The compulsory survey of unclassed ships would be a great advantage to the President of the Board of Trade. He often had occasion to make remarks with reference to the Department of the right hon. Gentleman, which were not intended for himself personally, but for certain officials connected with the Board of Trade of whom he had a very bad opinion. It was not his fault when he spoke of the Board of Trade if the President appropriated those remarks to himself; but this he would say, he believed that Board to be one of the worst managed Departments of the State. In *The Westminster Review* of that quarter was a most able article on the subject of our Mercantile Marine, which he would recommend to the perusal of hon. Gentlemen; and there was another splendid article in *Engineering* of last week, which he had got reprinted, and a copy of which he would send to every hon. Member of the House. When he saw the Prime Minister there that morning, he thought his presence was owing to the fact that the right hon. Gentleman felt some anxiety in the fate of our seamen. Unfortunately, however, the right hon. Gentleman had to go away in order to attend a meeting elsewhere. Now, it was impossible, without the consent of the Government, to get a second reading for the Bill that day. If the discussion was drawn out, the Order would become a dropped one, and he must search for another day with very little hope of accomplishing his object. He began to recognize that it was impossible to protect those people without the co-operation, active and sympathetic, of the Government; and it had been painfully borne in upon his mind that the interests of the working classes, when the issue lay between them and the capitalists, were safer with the other side of the House than with his own. Did they suppose that the working men of the country would be slow in arriving at that conclusion which had been forced upon his mind? He did not want to embroil himself with a party, or to say anything which he might afterwards wish he had not said; but this he knew, and he felt bound to state it, that the other side of the House had supported him with one single exception, and the Gentleman to whom he alluded was an example how evil communications corrupt good manners, for he had placed a Motion on the Notice Paper of the House at the instance of the Government; which, however, being threatened with the loss of his seat, he was induced to withdraw. His Bill would therefore inevitably be talked out, unless the House came to his assistance, under the peculiar circumstances of the case. He hoped the House, considering the vast interests at stake, would now give the Bill a second reading, for nothing was more uncertain than the tenure of life of an individual; but, on the other hand, nothing was more certain than the average length of human life under given circumstances. It might, therefore, be put down as a mathematical certainty that, in the absence of survey and of the load-line, many hundreds of men now living would not be living next year; and under these circumstances, forsooth, the House was asked to let things alone in order to save the dignity of the Royal Commission. He would be sorry to show any disrepect to the Royal Commission; but what he proposed was no disrespect. That was no ordinary matter of expediency or politics; it was a matter of life or death to hundreds of men to whom life was as dear as to any hon. Member of this House. He begged, he entreated, he implored the House to read the Bill a second time. If they could fancy that just outside the House they saw a ship before them on the rocks and the waves beating upon it, he believed there were many now present who—just as Lord William Hay leaped from Her Majesty's ship into the Tagus to save life while the tide was running 20 knots an hour—would risk their lives in the effort to save others. He hoped, therefore, the House would now pass the second reading of this Bill, and pass it with acclamation.

SIR JAMES ELPHINSTONE seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Plimsoll.*)

Mr. T. E. SMITH, in moving, as an Amendment—

> "That, in the opinion of this House it is undesirable to legislate upon this subject until the Royal Commission appointed to inquire into the Regulations for preventing Overloading and Undermanning in the Mercantile Marine has reported,"

said, he wished to assure the House that in moving the Resolution he was not actuated by any hostility towards the hon. Member for Derby (Mr. Plimsoll). On the contrary, he sympathized with the objects of that hon. Member, and if a different course had been pursued by him, he should have been ready to co-operate with him. The House was aware that a Royal Commission had been appointed at the instance of the hon. Member, upon which were a distinguished Statesman and a number of hon. Members known for their knowledge of the subject and for their sympathy with their fellow-men. while no one had been appointed to sit on it, who could be said to have a close connection with the matter into which the investigation was to be made. That being so, what did the hon. Member do?

He came down to the House and asked them to legislate on the very subject for which a Royal Commission had been appointed. He (Mr. T. E. Smith), however, submitted that it would not be respectful to the Commission, while prosecuting its inquiry, if the House should proceed to actual legislation. That Commission commanded the confidence of the public and of the shipping interest; but he (Mr. T. E. Smith) thought he might fairly complain on the part of the shipowners of the country, of the way in which the Commission had thought fit to carry on the inquiry. It was, he believed, contrary to precedent when the character and honour of individuals were concerned, for the Commission to carry on the investigation with closed doors. But that was not all, for it allowed the hon. Member for Derby to be present at its proceedings, and if he was not able to attend, he was represented by a solicitor. The only explanation of the matter that he had been able to obtain was, that the hon. Member seemed to occupy the position of a public prosecutor, and that it was for the advantage of the Commission, that they should have full and free communication with him in reference to every witness. If the hon. Member desired to occupy the position of a public prosecutor, he (Mr. T. E. Smith) was not the man to blame him; but this he would say—that it was a principle unknown to English legislation, that a public prosecutor should discharge his functions, except in the presence of the accused. He wished to call the attention of the right hon. Gentleman the President of the Board of Trade to the matter, and to press upon him to consider whether something could not be done to render the proceedings of the Commission accessible to the public. When a witness came before the Commission opposed to the views of the hon. Member for Derby, that hon. Gentleman had it in his power to telegraph to his friends all over the country to bring up their evidence to rebut anything that might be said on the other side. But, on the other hand, the shipowners had no opportunity afforded them to rebut any evidence which the hon. Member for Derby might lay before the Commission. Having asked Gentlemen to give their time, labour, and experience to investigate the subject, would it be in accordance with the feeling of the House or ordinary respect, without waiting for their Report, to take a leap in the dark and legislate without reference to any conclusion to which they might come? Such a course had never been taken before, and he did not believe the House of Commons would be inclined to adopt it on the present occasion. The hon. Member for Derby had at first excited a good deal of sympathy by the statements he had made in Liverpool, Hull, and other ports, and men of great eminence in the shipping interest had tendered him their support; but those who had been studying the subject were aware that a considerable change had been made since the hon. Member had produced his Bill. Mr. John Burns, of the Cunard line, who, by letter read at the Liverpool meeting, expressed strong sympathy with the hon. Member's views, had, within the last few days, in the Chamber of Commerce of Glasgow, supported a Petition, praying the House not to legislate till the Royal Commission had reported. A similar feeling prevailed on the Tyne, the Wear, and the Humber. The Resolution he desired to move might seem inconsistent with the fact that the Government themselves had brought in a Bill on this subject; but that Bill involved no new principle, and was only intended to extend the power already possessed by the Board of Trade under an old Act; and when it came on for a second reading it would be time enough to deal with it. The Bill of the hon. Member for Derby, on the other hand, did involve new principles and new legislation on matters which had been directly referred to the Royal Commission. Besides, the Bill now in the hands of hon. Members was altogether different from what it now appeared the hon. Member was prepared to make it. In fact, the hon. Member was so anxious to pass some Bill that he did not care exactly what its nature might be if he could only persuade the House to legislate on the subject. ["No!"] The hon. Member, had himself admitted this, if not, in words, at all events, in fact, for he had avowed his readiness entirely to alter two-thirds of the Bill. ["No!"] Why, he was prepared to alter the conditions of survey, and also the provisions as to deck-loading. Legislation on the subject, which might seriously affect a most important interest, should be well advised and well considered. The hon. Member recommended his Bill as a temporary and provisional measure; but provisional legislation was apt to be hasty and rarely worked well; it was seldom ever a step in the right direction, and often presented a hindrance to satisfactory legislation. They ought not to forget how easy it was to transfer ships to a foreign flag; and common rumour at some of our out-ports indicated that if this Bill were passed several shipowners were taking the steps preliminary to such a transfer. The consequence might be, that instead of having the bulk of the Mercantile Marine of the world, we should find trade carried on in British ships sailing under another flag, and manned by foreign seamen. This was a technical subject, and the details must be treated in a scientific manner. With respect to compulsory survey by the two bodies proposed for that purpose, Lloyd's and what was called the Liverpool Book, neither shipowners nor Government had any control over them, they were entirely irresponsible, and they had both altered their rules and regulations within the last few years. A department, therefore, must be constituted which should have the whole matter under its charge. The Board of Trade would have great difficulty in finding a sufficient number of competent surveyors, and it would be quite impossible to send ships to sea at all this summer. The adoption of a general survey might diminish the amount of wrecks and casualties, but would not diminish proportionally the loss of life. He could refer to figures to show that the great loss of life from shipwreck occurred on first-class regularly surveyed vessels—the *Royal Charter* for instance, where 440 lives were lost, the *London*, where 223 were lost, and the *Northfleet*, where 285 were lost. Those were all ships of the highest class in the Register, and had been officially surveyed by more than one authority.

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow*.

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the districts of Buxton, Clayton, Crewe, Hitchin, Idle, Leyton, Nottingham (two), Shanklin, Walthamstow, Wellingborough, and Wimbledon, *ordered* to be brought in by Mr. HIBBERT and Mr. STANSFELD.

Bill *presented*, and read the first time. [Bill 163.]

House adjournd at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 15th May, 1873.

MINUTES.]—PUBLIC BILLS—*First Reading*—Superannuation Act Amendment* (113); Metropolitan Tramways Provisional Orders (No. 2)* (114); Local Government Board (Ireland) Provisional Order Confirmation* (115); Customs Duties (Isle of Man)* (116); Crown Lands* (117); Colonial Church* (118).

Second Reading—Australian Colonies (Customs Duties) (91); Vagrants Law Amendment* (98).

Committee—Report—Gretton Chapel Marriages Legalization* (77); University Tests (Dublin)* (103).

Third Reading—Gas and Water Provisional Orders* (87), and *passed*.

Royal Assent—Customs and Inland Revenue [36 *Vict.* c. 18]; New Zealand Roads, &c. Loan Act (1870) Amendment [36 *Vict.* c. 15]; Portpatrick Harbour [36 *Vict.* c. 14]; Marriages (Ireland) [36 *Vict.* c. 16]; East India Stock Dividend Redemption [36 *Vict.* c. 17]; Poor Allotments Management [36 *Vict.* c. 19]; Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) [36 *Vict.* c. xv]; Elementary Education Provisional Order Confirmation (No. 2) [36 *Vict.* c. xxii]; Elementary Education Provisional Order Confirmation (No. 3) [36 *Vict.* c. xxiii]; Land Drainage Provisional Order [36 *Vict.* c. xxiv].

AUSTRALIAN COLONIES (CUSTOMS DUTIES) BILL—(No. 91).

(*The Earl of Kimberley.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF KIMBERLEY, in moving that the Bill be now read the second time, said the measure, which had already been considered in the other House of Parliament, was intended to amend the existing law with respect to Customs' duties in the Australian Colonies. As their Lordships were probably aware, by the Act 13th and 14th Victoria, cap. 59, the Colonial Legislatures were prohibited from imposing differential duties as between the colonies and the rest of the world. But this prohibition had aroused considerable agitation, and an active movement against it was commenced in 1867, when the colony of New South Wales represented to the Home Government that it ought to be removed. The demands made in the representation from the colony did not meet with the approval of the Duke of Buckingham, who was at that time Secretary for the Colonies. In the same year the Legislature of Tasmania passed a Bill imposing differential duties; but on the advice of the noble Duke the sanction of the Crown was refused to that Bill. Subsequently a conference of all the Australian Colonies was held in Tasmania, with the view of bringing about a Customs' Union of those Colonies. When he (the Earl of Kimberley) came into office, and the matter was brought officially under his notice, he adopted the same view as that which had been held by his predecessor. After a further resolution come to by a Conference held in 1870, the subject was taken into consideration by Her Majesty's Government, and he addressed a despatch to the Governors of the Australian Colonies. He might mention that New Zealand was in a different position from the Australian Colonies, because, in the case of New Zealand, there was no prohibition in the New Zealand Constitutional Act against the imposition of differential duties. As the Australian Colonies continued to urge the removal of the prohibition, Her Majesty's Government had come to the conclusion that it would not be wise any longer to resist the demands made by them to enter into such Customs' arrangements with one another as they might think fit in respect of the productions of the various colonies. Accordingly, this Bill was prepared. It consisted of only three clauses. The first was merely the "short title" clause, and the second the "interpretation" clause. The third and main clause empowered the Colonial Legislatures to regulate duties. The Legislature of any one of the Australian Colonies, was for the purpose of carrying into effect any agreement between any two or more of those colonies with each other or with New Zealand, to have the power from time to time to make laws with respect to the remission or imposition of duties upon the importation into such colony of any article the produce or manufacture of or imported from any other of the said Colonies, or the produce or manufacture of or imported from New Zealand. But no new duty was to be imposed upon, and no existing duty was to be remitted as to, the importation into any of the Australian Colonies of any article the produce or manufacture of any particular country which was not to be equally imposed or remitted in the case of the importation into such colony of the like article the produce or manufacture of any other country. Considerable difference of opinion existed in these colonies on the subject of Free Trade. Her Majesty's Government were quite alive to the interests of Free Trade; those interests all parties in this country had now at heart; but if we made this question of differential duties one of the right of the colonies to govern themselves, we might retard Free Trade in the Australian Colonies rather than advance it. It was highly probable that the Australian Colonies would at some future time follow the example set them in British North America, and form themselves into a great confederate Union. He thought that such a Union would be beneficial to these several colonies, the divisions between which were in some cases only imaginary lines. That, however, was a question quite outside this Bill. On the present occasion he thought it better not to go into questions as to the expediency of the policy of the colonial governments in respect to their local affairs. As we had given the Australian Colonies self-government, it was perhaps better that in matters of Customs' regulations we should assume that those colonies knew their own business better than we knew it. In conclusion, he should only express a hope that this Bill would be used by the Colonial Legislatures for the purpose of removing any artificial barriers to trade. He was confident that those colonies had nothing to fear in any competition with other communities.

Moved, "That this Bill be now read" 2^a."—(*The Earl of Kimberley.*)

EARL GREY: I have no intention of giving your Lordships the trouble of a division on this Bill, but I cannot allow it to pass without expressing my own disapproval of it, and pointing out that it is a new step in that policy which is fast converting the connection of the British Colonies with the mother country into a merely nominal one instead of a living bond of union. If the Colonies and the United Kingdom are in any true sense to form one Empire, it is obvious there must exist some single and paramount authority to ensure that on subjects of general and common interest, all the separate communities that form the Empire shall act in concert, and shall co-operate with each other. Each distinct community may properly be free to act for itself in its own internal administration, but unless all are subordinate to the Imperial Authority where the general interest is concerned, there is no Empire. But among the subjects which are most clearly of common concern—next to their joint defence against aggression—comes that of a common commercial policy. This till of late has been universally held to be so obviously true as to be beyond dispute. In the early days indeed of our colonies, the opinion held both here and throughout Europe was that colonies were only valuable for the commercial advantages to be derived from them. The mother country insisted on a monopoly of supply to the colonies, and they in return were allowed either a monopoly, or the privilege of supplying on better terms than other countries certain articles of produce to the Parent State, the right of regulating the manner in which this intercourse was carried on, being exercised without dispute by Parliament. The judgment with which it was used was often questioned, but that the power properly belonged to Parliament was never doubted. And when at length there came a change of opinion as to the wisdom of the old system of colonial trade, when it was discovered that the advantages it professed to afford to both parties were illusory, while the burthen imposed by it was heavy, and it was therefore swept away, and the system of free trade was established in its place, it was not even imagined that the Imperial Parliament and Government were to forego their old authority of settling what was to be the commercial policy of the whole Empire. On the contrary, it was considered that the policy of free trade would be deprived of much of its advantage if it were not consistently followed throughout the Empire. In treating with other nations for the purpose of obtaining the advantage of free commercial intercourse with them, it was obvious that the Imperial Government would act with far more weight when speaking on behalf of the whole Empire than only for the United Kingdom. And to the colonies it was of peculiar importance that there should be identity of commercial policy for the whole Empire, because if the interests of these comparatively small communities were to be separately discussed with large and powerful nations, they would not have commanded the consideration that they do as parts of the British Empire. Accordingly, when colonial protection and monopoly were swept away, Parliament and the Government took measures to ensure the adoption of a free trade policy in the colonies. It was with this view that the clauses it is proposed partially to repeal by the Bill before us were introduced into the Australian Government Act of 1850. The object of these clauses was to prevent the imposition of duties inconsistent with the principle of free trade by the Colonial Legislatures. They were left free to raise revenue duties by Customs duties, but subject to the condition of not contravening the rules of free trade. There is no difficulty in distinguishing the duties which fail to comply with this condition; they are those which tend to divert labour and capital into other channels than those they would naturally seek as the most profitable, in the absence of artificial restrictions. It follows, therefore, that duties ought to be imposed not with reference to the place from which the taxed articles are brought, but to the articles themselves, and on this ground the clauses of the Australian Government Act of 1850 which my noble Friend now proposes partially to repeal, required that different rates of duty should not be imposed on the same articles when imported from different places. But the Imperial Parliament in prescribing this as the commercial policy of the whole Empire showed its consideration for the colonies by not requiring that where differential duties already existed they should be repealed—it only prohibited the imposition of such duties for the future. But my noble Friend and others contend that the operation of this restriction imposed by Parliament on the powers of the Colonial Legislature is inconvenient in practice and prevents the establishment of that freedom of commercial intercourse which ought to exist between the different Australian Colonies. The absurd and mischievous impediments thrown in the way of the commerce of these colonies by the duties they levy on each other's produce, or the evils arising from this legislation, have been described and are urged as a reason for our assenting to this Bill. There can be no doubt that these evils are quite as great as they are described to be. It is impossible to exaggerate the absurdity of the existing system of inter-colonial duties, and the mischief that it produces, especially in the intercourse between Victoria and New South Wales. To have different systems of Customs duties, and, as a consequence, to establish a line of custom houses on the land frontier of two colonies so situated was the very height of absurdity, but this Bill is not necessary to get rid of it, nor will it afford the slightest facility for adopting the only real remedy. As long as the two colonies have different tariffs, and tax importations at different rates, the inconvenience now so justly complained of must continue. The only effectual remedy for it would be, that all the Australian Colonies—or, at all events, those on the mainland—should adopt one uniform tariff on sound commercial principles; that they should divide equitably the revenue arising from the Customs duties so regulated, and then abolish all restrictions upon their trade with each other; that they should, in short, form a customs union. But to do this, the Bill now before us is not necessary, and, unfortunately, it is not what the colonies desire. We learn from the Papers before us that their mutual jealousies make it quite hopeless that a customs union should be established as has been suggested. An injudicious system of protection has been adopted by some of these colonies, more especially by Victoria, and their real object in asking for this Bill is to be enabled to keep up and extend this vicious system with greater facility than at present. And I would remind your Lordships that the protective system of Victoria, which this Bill is meant to encourage, is especially directed against British industry. Duties are now imposed in that colony, of which the design and the effect is artificially to force into premature existence in that colony the manufacture of certain articles, which but for these duties could be more cheaply imported from this country. This Bill will enable the colonies to carry this pernicious policy still farther than at present; for instance, New Zealand may obtain the privilege of sending timber and corn at low duties to those Australian Colonies that require them, while on the other hand the sugar, wine, leather, and woollens of these colonies may be enabled to find a market in New Zealand by being relieved from protecting duties imposed there on these articles, when of British manufacture or the produce of Mauritius or of France. Nothing can be more fatal to the permanent connection of these colonies than such a system; nothing more injurious to the maintenance of amicable relations by the colonies with each other, for your Lordships will observe that it is directly calculated to foster all those petty feelings of commercial jealousy which it appears from these Papers are so prevalent among them, and lead to such unwise and mischievous measures. Under the provisions of the new law it will be possible—and I fear the power is not unlikely to be used—for one colony to obtain special advantages at the expence of another in the markets of a third; the wheat of Tasmania or of South Australia may be placed under a disadvantage as compared to that of New Zealand in the ports of Victoria. And those colonies in which certain branches of production are thus artificially created or stimulated by protecting duties will really be losers instead of gainers by the boon supposed to be conferred upon them, because these trades, like all artificial trades, would be uncertain and exposed to the risk that sooner or later the burthen of maintaining them would be found so heavy as to cause them to be deprived of the protection on which they depend, and to be put an end to with heavy loss to all concerned in them. My noble Friend (the Earl of Kimberley) I am aware agrees with me in these objections to the protective policy of the colonies, but he says that we ought not to impose our own opinions upon them—that they may fairly claim to be allowed to judge for themselves what is best for their own interests. I cannot concur in this view of the subject; and I should wish to know if it is to be acted on, in what manner the Queen's authority is to be maintained at all? If that authority is not to be upheld, by requiring the colonies to conform to the general commercial policy of the Empire; if the Imperial Government is to have no voice in determining upon the commercial measures of the colonies, and we are even to allow them to impose protective duties more hostile to British interests than the duties of most foreign nations, it seems to me that it will become a very serious question whether it will be well to maintain the connection. My noble Friend says that the colonies may seek to dissolve it if we refuse to allow them the liberty in that matter which they desire. I have no fear of this; they derive too substantial advantages from belonging to the British Empire to make it likely that they will wish to separate from it, so long as the authority which the Imperial Government may properly claim is wisely used for the benefit of the whole Empire. But let me point out to my noble Friend that there is another side of this question; if the reins are to be thrown down altogether, and no authority at all is to be exercised by the Imperial Parliament and Government, will not the connection be reduced to a responsibility for the defence of the colonies which may prove very onerous to us? And is it not probable that the people of this country may say, "If we are to exercise no power over the colonies, nor to derive any advantage from them, we decline to incur the responsibility of protecting them?" It is quite true that the Bill now before us is not the first measure which has been taken in derogation of what I believe to be the sound policy of asserting the authority of the Imperial Parliament to decide on the commercial system of the whole Empire, and to prohibit the adoption by any one of its dependencies of any measures that would conflict with it. Not only the Australian, but the North American Colonies, have been allowed in the last 20 years to adopt measures open to just objection on this ground. I believe this to have been a great mistake, and that if from the first the Home Government had clearly pointed out to the Colonial Legislators the evils of a protectionist policy, and had firmly declared that this was a policy they could not be allowed to adopt so long as they formed part of the British Empire, that decision would have been cheerfully submitted to. Past mistakes have made it more difficult to take this line of conduct now, but still I believe that there was no real necessity for making so dangerous a concession as that involved in this Bill, and I deeply lament that by bringing it forward another step has been taken in a policy which I must repeat that I regard as leading to the disruption of all real ties between England and her Colonies.

VISCOUNT CANTERBURY said, that if he thought the passing of this Bill involved the abandonment of the principle of free trade, or that it would tend to loosen the ties between the colonies and the mother country, he would be no advocate of the measure. If the colonies having the right to impose Customs duties as they thought fit was to be taken as an abandonment of the principle of free trade, then the abandonment had taken place long ago; for some of the colonies had long since imposed duties in direct violation of the principles of free trade. As the noble Earl (Earl Grey) himself had stated, some of them had imposed restrictive duties—very high ones. When these were sanctioned by the Crown did the Government of this country abandon the principles of free trade? This Bill did not touch foreign trade. If the Bill were one to enable the Australian Colonies to impose differential duties on articles coming from abroad the case would be different; but, putting New Zealand aside, the difficulties arose not in respect of different countries, or even different communities, but in respect of different parts of the same colony, or of colonies separated from one another only by imaginary lines. What this Bill would allow to be done in a legitimate manner had hitherto been done in an illegitimate manner. The difficulties first arose some time about the year 1860, when there were such disputes in connection with the collection of duties on the River Murray Boundary, between New South Wales and Victoria, that tumults and disorders occurred and bloodshed was apprehended. To put an end to that state of things, the two Governors of New South Wales and Victoria entered into an agreement whereby, on the annual payment of a fixed sum, the collection of duties on that boundary was abrogated for a certain number of years. And this arrangement was acquiesced in, although it was not exactly sanctioned by the Secretary of State. A like question arose in 1866. During the interval a Bill had been passed by the Victorian Legislature which provided, not for the collection of differential duties, but that the Governor might by an Order in Council admit articles imported across the River Murray, duty free; and this Bill was assented to by the Crown. Under this provision he had himself, as Governor, signed an agreement with New South Wales for the continuance of the system of fixed payments which had been in existence for six years, and the Governor of New South Wales signed another similar agreement, and that agreement being embodied in a Bill was passed by the Legislature, sent home, and received the Royal Assent. He could assure the noble Earl (Earl Grey) that if the Crown were to interfere with such arrangements, the intervention, instead of promoting good will or strengthening the bonds of union between the colonies and the mother country, would have a wholly contrary effect. Their Lordships ought not to form exaggerated notions as to what this Bill really proposed to do. If it gave, or even if it held out, the slightest hope of hereafter giving power to the colonies to impose differential duties on articles exported from abroad, he should oppose it to the utmost. He held that in regard to all commercial and other Treaties the Imperial authority ought to be and must be paramount; but the present measure dealt only with the internal trade of the Australian Colonies, and placed them beforehand in the position they would occupy if they were united under federal bonds. The terms on which that union was to be completed—if indeed it should ever be completed—were surely matters on which the Australian Colonies ought to be consulted, and it was not impossible that some of the Legislatures might claim particular powers in regard to their own taxation. At all events, no one could say this Bill in any way touched foreign trade. As regarded New Zealand, he admitted it did not stand in exactly the same position as Australia proper, although the relations between New Zealand and the continent of Australia were very much more intimate than many persons would suppose, considering the distance which intervened between them. He could not think, however, that the inclusion of New Zealand in any way altered the character of the Bill, which, in his opinion, was one of purely colonial and local interest.

The Earl of CARNARVON said, that although the Bill passed through the other House almost, if not entirely, without discussion, the three remarkable speeches delivered this evening proved that the measure was one of great importance from a colonial point of view. He thought the remarks of the noble Earl (the Earl of Kimberley) were less forcible than the arguments formerly set forth in his despatches:—while the House must have felt how weighty was the warning of the noble Earl (Earl Grey): and he thought their Lordships must have listened with great satisfaction to the speech of the noble Viscount opposite (Viscount Canterbury), who brought into the House such a matured experience of these countries as few Colonial Governors had ever possessed, and whose practical knowledge must always be most valuable whenever a colonial question arose in that House. As for the Bill itself, he regarded it as an important movement in commercial policy—it would absolutely change those commercial doctrines which had been persistently acted upon for many years, for it gave the colonies in this particular Australian group the power of imposing differential or preferential duties for or against one another. The matter did not at all touch foreign trade; but as these several countries were each to have the power of arranging their Customs' duties, and were each connected with the mother country, if difficulties should arise in their mutual inter-communication, he did not see what would be the position of the mother country in reference to them. He should have preferred that the Bill had not been introduced, but it was impossible to read the Correspondence without perceiving that the Colonial Governments had brought considerable pressure to bear on the Home Government in reference to this subject, and that little alternative was left to the Government except to accede to some measure like the present. There were two conclusions which he deduced from the position of this question. The first was the fallibility of modern philosophy, which predicted that free trade and the non-imposition of differential duties would be chief features in our colonial policy; for our Australian Colonies, with the most democratic forms of Government, had within a few years, utterly repudiated both doctrines. The second conclusion was that, owing to the great discoveries of the gold fields, the growth and prosperity of these colonies had been unexampled, that no one would see what the end of it would be, and that their growth increased the political responsibilities of those who governed them. The tie that bound them to this country was like a silken thread, but he hoped it would be proved as time went on that the bond, however, slight, would still be sufficient to sustain our relations—what was wanted — and it was more wanted on their side than on ours—was that amount of political, self-control moderation, and abstinence which would retain those relations unimpaired. We had handed over to them almost everything necessary for their self-government, and we could only hope they would use their power wisely. Under this Bill they would assume really new powers, which, if temperately, wisely, and sparingly used, would, he apprehended, produce little and perhaps no great change in the relations between them and us; but, on the other hand, they were powers which, if intemperately, or violently, or immoderately used might bring about serious complications and difficulties from which he should shrink with dismay. The Blue Books abounded with the most ardent professions on the part of the colonies of their loyalty to the Crown and their devotion to this country, and he did not believe that in any part of the world there was more genuine and hearty allegiance than was to be found there; but, in spite of all this, difficulties might arise, and it was the business of statesmen to foresee and arrange them. He hoped and believed that in the long run we should be able to reconcile what had hitherto been deemed to be irreconcilable—namely, the freedom of the colonies and their dutiful allegiance to the mother country.

THE EARL OF BELMORE, while he fully concurred in the opinion that freedom of trade was essential to the general prosperity of these colonies, considered that the time had come when the colonies should have the power which this Bill proposed to give them. It carried out a policy which he had recommended some time ago, when Governor of New South Wales. He did not agree with the opinion that the granting of the powers proposed in this measure would break the ties which bound the colonies together or that it would in any way weaken their attachment to this country. It had been said that the desire for protection would be increased in the colonies by this measure. It was true that in Victoria there was a strong desire for protection; but on the other hand in New South Wales there were many public men who were really free-traders at heart, and who would adopt the free trade principle if they saw how the revenue of the colony could be raised in accordance with it. Three years ago attempts were made to repeal *ad valorem* duties in New South Wales, the present chief Minister of which was a free-trader, and it was probable another attempt would be made next year.

THE EARL OF KIMBERLEY said, that in these colonies there was a free trade as well as a protectionist party. He did not wish to draw invidious distinctions; but it was only fair to say that South Australia had never adopted a protectionist policy, and that in New South Wales there was a very strong free trade party, and it was probable the *ad valorem* duties might be repealed. No doubt it would be an immense advantage if we could have one commercial policy throughout the Empire; but the arguments in favour of that policy had not produced the desired effect in the colonies, and he was by no means convinced that any argument would produce that effect. On reference to the printed Correspondence they would see that the Minister of one of the colonial Governments said that no attempt could be more hopeless than to induce self-governing colonies to adopt the same opinions upon free trade that England happened to entertain at the moment. He did not think the House would be surprised that he had come to the conclusion that no advantage would be gained by prolonging a controversy which was sure to become acrimonious in its character. He had come to that conclusion with reluctance. He regretted extremely to see the colonies embarking in a course—which was not, in his opinion, a wise one—of making bargains with each other founded on principles of reciprocity; but he did not think this was a question of paramount importance on which they should place an absolute veto on the wishes of the colonies. To interpose a veto was a very serious measure indeed. These communities were growing powerful; they were self-reliant, and displayed all the independent feelings of Englishmen. He believed they entertained a real, sincere loyalty to this country; but care must be taken not to transform that spirit of cordial loyalty into a feeling of opposition, and even of dislike to this country. He believed this Bill would be received by the colonies in the spirit in which it was passed—as a concession in the matter of their especially local and internal affairs; and they would regard it merely as a corollary to the measure passed for for our North American Colonies. Looking at all the facts of the case, he certainly did not think it would have the fatal effects which the noble Earl (Earl Grey) appeared to apprehend.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

EARL GREY gave notice that on going into Committee, he would move the omission of the words "New Zealand."

VAGRANTS LAW AMENDMENT BILL.

(*The Earl of Feversham.*)

(NO. 98.) SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF FEVERSHAM, in moving that the Bill be now read the second time, explained that its object was in a measure to amend the Vagrant Act of the 5 *Geo.* IV., c. 83, and the subsequent amending Act of the Queen passed in 1868, against betting and gaming, under which boys of tender age—and he knew such cases in the North of England were not uncommon—had been committed to the degradation of a prison for the comparatively trifling offence of playing at "pitch and toss." He thought it could hardly be denied that some relaxation of such a law was called for, and the relaxation he proposed was to give the magistrate in such cases the option of punishing by fine instead of imprisonment. The Bill had met with little or no opposition in the other House, and he hoped their Lordships would now read it a second time.

Moved, "That the Bill be now read 2^a."—(*The Earl of Feversham.*)

THE DUKE OF RICHMOND opposed the Bill. The Bill went much further than the speech of the noble Earl described, for it relaxed the existing law on a very material point—namely, as it affected rogues and vagrants. No doubt where boys broke the law they were liable to be punished in the same way as grown persons; but while the latter might be properly sentenced to severe imprisonment, the punishment for juvenile offenders would be limited to a few days. The object of the punishment was to deter, and this would be better effected by a sentence they would have to bear themselves than by a fine which probably their parents would have to pay. He did not see, however, why the Act of 1868 should be relaxed in the case of card-sharpers and thimble-riggers by giving the magistrate the alternative of inflicting a fine, which, in nine cases out of ten, he would be disposed to do. He regretted the Government did not oppose this Bill, which he thought a very bad one.

THE DUKE OF CLEVELAND would remind their Lordships that the Act of 1868 was carried through by himself. At the time it was stated that the game of pitch and toss led to great demoralization in the colliery districts, and it had been found by a judicial decision that the Act 5 *Geo.* IV. was not applicable to these cases. To render it applicable, therefore, he had been requested to take charge of the Bill in 1868. He had not heard that much complaint had been caused by its operation. At the same time he admitted it was objectionable to send boys of tender age to prison for what after all was not a very heinous offence, and some relaxation of the law in that respect could hardly be unreasonable. No doubt an alternative was given to the magistrates under the Bill, but they would hardly exercise it in the manner his noble Friend apprehended.

THE DUKE OF RICHMOND said, that where magistrates had the alternative of fine or imprisonment, in 19 cases out of 20 they fined instead of sending to prison.

THE EARL OF MORLEY said, that the Act of 1868, which this Bill was intended to amend, had, on the whole, worked beneficially. At the same time, complaints had constantly come from the magistrates that they could inflict no punishment other than imprisonment. The consequence was, that cases were dismissed which ought to be punished simply because, in the judgment of the magistrates, the punishment was too severe. It was not a proper punishment to send boys to prison merely for playing pitch and toss, instead of imposing a fine of a few shillings on them. The Bill would allow the infliction of fines in such cases, and he hoped their Lordships would read it a second time.

THE EARL OF CARNARVON took exception to the mode in which the proposed alteration of the law was to be made, and pointed out that the Bill, in its present form, might go much further than was intended. It provided that—

> "Every person playing or betting by way of wagering or gaming in any street, road, highway, or other open or public place, to which the public have, or are permitted to have, access,"

with any card, coin, and so on, should be liable to be convicted as a rogue and vagabond. He feared that this might be considered applicable to some of their Lordships on Epsom Downs and the Derby Day.

THE LORD CHANCELLOR thought that the Bill did not draw the line in a proper manner between acts which were very different in their moral nature and their social effects. He strongly condemned that kind of legislation which made no distinction between little children who amused themselves by playing pitch and toss and rogues and vagabonds. Such legislation was mischievous, because it did not recommend itself to the moral sense of those with whom it dealt. He objected utterly to any legislation which was so clumsy and inconsistent with truth as to treat poor children who might offend in this way as rogues or vagabonds. If they could not do better in the way of discrimination, he would rather leave such offences outside the law. He did not say that the Bill ought to be rejected; but he should be glad if it could be amended in Committee—if some attempt could be made to discriminate between the cases with which it was really intended to deal and other more trivial cases.

THE MARQUESS OF SALISBURY expressed his concurrence with the view taken by the noble and learned Lord, and thought the better plan would be to substitute for the fine of 40*s.* a box on the ear. From the wording of the Bill, he was under the impression that it would apply to Tattersall's, as that was a place to which the public had, or were permitted to have access, and where betting and gambling with coins was carried on.

Motion *agreed to:* Bill read 2ª acordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

COLONIAL CHURCH BILL [H.L.]

A Bill to provide for the relief of certain Bishops and Clergy in Her Majesty's Possessions abroad, and to make provision respecting the consecration of Bishops not being Bishops of dioceses in England, and respecting the exercise within England of their office by Bishops not being Bishops of dioceses in England and by clergy ordained by them—Was *presented* by The Lord BLACHFORD; read 1ª. (No. 118.)

House adjourned at half-past Seven o'clock,
'till To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 15th May, 1873.

MINUTES.] — SELECT COMMITTEE — Callan Schools, *appointed*; Wild Birds Protection, *nominated.*
First Report—Juries (Ireland) [No. 210].
WAYS AND MEANS—*considered in Committee*—Consolidated Fund (£12,000,000).
PUBLIC BILLS—*Second Reading*—Peace Preservation (Ireland) [145].
Committee—Juries * [35]—R.P.
Committee — Report — Shrewsbury School Property * [117-164]; County Authorities (Loans) * [134].

CHARING CROSS AND VICTORIA EMBANKMENT APPROACH BILL.—CONSIDERATION. (*By Order.*)

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now taken into Consideration."

LORD ELCHO said, that when this Bill stood for Consideration on the last occasion he ventured to oppose it, because he thought it desirable that there should be an opportunity given to the Chairman of the Committee which tried the Bill to state what had been the course taken by the Committee with reference to it. As far as the position of the House was concerned, the House only knew this much—that the Bill had been referred to a Select Committee, and that that Committee had reported generally in its favour; but from what had appeared in the papers, the Committee seemed to have made some recommendations which were considered by the Metropolitan Board of Works. When the Bill was first brought before the House he had opposed it, and proposed that it should be sent to a hybrid Committee—not with the view of saving Northumberland House, although as a general principle he did not think it advisable in the course of metropolitan improvements that a house of such architectural interest should be swept away. But Northumberland House must of course give way, if necessary, for a real public improvement, like humbler buildings; and all the desire was that a Bill dealing with one of the most important parts of the West-end of the metropolis should be considered in a more formal and satisfactory way than if it was a Railway Bill dealing with some section of a railway in an obscure part of England. The House did not approve his suggestion of a hybrid Committee, and the Bill was remitted to a Committee up-stairs sitting in the ordinary way. And he believed the Chairman of the Committee (Mr. Bouverie) had taken evidence whether the scheme was really a metropolitan improvement. Models and plans were laid before the Committee, and the question was more fully gone into than would probably have been the case but for the discussion on his Motion. If, as he gathered from the newspapers, any recommendation had been made by the Committee that these plans should be submitted to the Institute of Architects, that was a step in the right direction, as they might hope yet to see some superintending body in the metropolis acting in union with the First Commissioner of Works, and not in a spirit of jealousy or hostility to the Metropolitan Board, or any other body in the City of London, and to see also that there might be some uniformity of action in all public works which required an appeal to Parliament to enable them to be made. By these means they might guard against such ugly structures as those at Charing Cross and Cannon Street, and the more ugly railway arches over the great public thoroughfares of the metropolis. If there was such a body acting in concert with the House of Commons they might have some security that acres of space in Kensington Gardens, with fine trees, should not be destroyed by having the trees cut down without the sanction of Parliament, and only by the fiat of the First Commissioner of Works. He did not wish to oppose the Bill in any way.

Mr. BOUVERIE, as Chairman of the Select Committee, to which the Bill in question had been referred, wished to state that, with his Colleagues, he had paid great attention to the measure, because they knew there was a strong feeling in favour of the preservation of Northumberland House, as it was one of the few surviving specimens of the ancient princely houses of London. But the evidence which was laid before the Committee was so conclusive as to the importance and desirability of the improvement to be effected by the Bill that, by a majority of 3 to 1, they passed its Preamble. The Committee had had seven different plans submitted to them for forming a new approach to connect the West-end with the Victoria Embankment, and several of the most eminent architects of London were examined. These gentlemen, though they all wished that Northumberland House could be preserved, declared that the scheme would be such an enormous improvement to London generally, and in particular would afford such a convenient approach to the Embankment—which without some such approach would be practically useless—that they had no hesitation in cordially recommending it to the Committee; and, as his Grace the Duke of Northumberland, acting under the Parliamentary guarantee contained in the Thames Embankment Act, refused to part with any portion of his property unless the whole was taken, the Committee saw no course open to them except to pass the Preamble of a Bill which would effect so great an improvement. His Grace the Duke of Northumberland attended before the Committee, and said that though he did not wish to part with the family mansion, he would consent to do so if the public convenience or necessity required it. Therefore, as he had said, the Committee passed the Preamble of the Bill, and at the same time had introduced a clause requiring that the elevation of the new street, which would be one of the finest in London, would be submitted by the Metropolitan Board of Works to the Council of the National Institute of British Architects before being carried out.

COLONEL HOGG thanked the noble Lord for having postponed a Question he intended to put, from Monday till to-day, because it had given the Chairman of the Select Committee the opportunity of proving to the noble Lord that the Metropolitan Board of Works had not entered upon the question of the demolition of Northumberland House without the most careful consideration, and every desire to save the historic monuments of the metropolis. That the Board had acted rightly was abundantly proved by the fact that the Select Committee had had no fewer than seven plans submitted to them; and, after having gone through them most carefully, they decided in favour of the one chosen by the Board. He thought it right to state, on the part of the Board, that they accepted, under protest, Clause 30, by which the plans were to be submitted for the consideration of the Council of the Institute of British Architects. They would not regard the course pursued as a precedent for future legislation in reference to other improvements; but if the Bill were passed the Board would loyally carry out its provisions.

Question, "That the Bill be now taken into Consideration," put, and *agreed to.*

Bill *considered;* to be read the third time.

CENTRAL ASIA—EXTENSION OF THE RUSSIAN FRONTIER.—QUESTION.

MR. EASTWICK asked the Under Secretary of State for Foreign Affairs, Whether the statement contained in the last number of "Ocean Highways," page 79, is correct that a map has been published in Russia showing that the Russian frontier has been extended to Bujnurd in Khurasan, and that a line of fortified posts up to that place has been occupied by the Russians?

VISCOUNT ENFIELD: Sir, I have not yet been able to ascertain whether such a map as that mentioned in the extract from *Ocean Highways* exists in Russia, as the latest confidential map in the possession of the Foreign Office does not indicate such an extension of frontier or of forts as is referred to in the hon. Member's Question; an inquiry on the subject has been made at St. Petersburg, but the answer has not been received.

DOMINION OF CANADA—TREATY OF WASHINGTON—THE FISHERIES.

QUESTION.

MR. PERCY WYNDHAM asked the Under Secretary of State for the Colonies, Whether Acts have not been passed in the Congress of the Dominion, and in the Houses of Assembly in Prince Edward's Island and Newfoundland, giving effect to the provisions of the Treaty of Washington relating to the Fisheries, with the proviso that such Acts should not come into force, until the 1st of July next; whether the Governments of the three above mentioned Dependencies of the Crown did not admit American fishermen to fish during the fishing seasons of 1871 and 1872, and anterior to the above mentioned date; and, whether he could inform the House, that the Government and Congress of the United States have granted the equivalent mentioned in the negotiations, namely, the remission of Duty on fish oil and fish of all kinds entering the United States from the fisheries of the Dominion, Prince Edward's Island, and Newfoundland, during the corresponding period of time and anterior to the date of the 1st of July next?

MR. KNATCHBULL HUGESSEN: It is not correct, Sir, to describe the Acts as having a Proviso that they shall not come into force until the 1st of July next. They are to come into force upon a day to be appointed by a Proclamation of the Government, which day will, however, be the 1st of July, that being the day on which the President of the United States intends to issue his Proclamation under the Act of Congress. The Governments of these three Dependencies of the Crown have determined to admit American fishermen to fish during the present fishing season, and anterior to the above-mentioned date; but the Dominion and Prince Edward's Island did not do so in 1871 and 1872. With respect to the last Question, my hon. Friend will see from the printed Correspondence that the engagement of the

United States, mentioned in Mr. Fish's letter of the 8th of May, 1871, only referred to the then present season. There is no question of remission of duties on account of the opening of the fisheries during the season of 1872, which was an entirely spontaneous act on the part of the Government of the Dominion.

THE TICHBORNE TRIAL—THE QUEEN *v.* CASTRO.—QUESTION.

Mr. O'CONOR asked the Secretary of State for the Home Department, Under whose instructions the police on duty in Westminster Hall prevent barristers from passing through the outer door of the Court of Queen's Bench to the Bail Court and the Robing Rooms underneath that Court during the Tichborne trial; whether there is any other entrance provided for barristers who are by these instructions prevented from using the shortest route to the Robing Rooms; and, whether these instructions are consistent with Chief Justice Cockburn's repeated declarations that the Court of Queen's Bench remains during the trial as at other times an open Court?

Mr. BRUCE: I have inquired, Sir, into the Questions put to me by the hon. Gentleman. As to the first and second, I have to state that no such instructions have been issued. But I am informed, as a matter of fact, that when the passage from Westminster Hall into the Court has been especially crowded, barristers without their robes have been requested for their own convenience to go round to the Judges' private entrance, a distance of about 150 yards, and to enter the Robing Rooms by that which is the usual entrance of the great majority of barristers. With respect to the third Question, I have to state that the Court is an open Court in all respects, except that the barristers' benches are reserved for the exclusive use of the Bar, and this state of things is consistent with the Chief Justice's declarations.

Mr. O'CONOR observed that he himself was informed by a policeman on duty that he had strict orders to permit no barristers to pass by that entrance.

REVENUE DEPARTMENTS—SUPERANNUATIONS.—QUESTION.

Mr. W. H. SMITH asked the Secretary to the Treasury, If he would state to the House on what grounds the privilege of commuting their pensions has been withdrawn from officers superannuated from the minor establishments of the Revenue Departments; and, whether there is any intention on the part of the Treasury to reconsider the matter?

Mr. BAXTER, in reply, said, that the hon. Member was mistaken in supposing that the privilege of commuting their pensions had been withdrawn from the officers superannuated from the minor establishments of the Revenue Departments. Such a privilege had never existed. The operation of the Act 34 & 35 *Vict.* c. 36, applied only to officers in Her Majesty's Naval or Land Forces, or to persons who had retired or had been removed from public civil offices in consequence of the abolition of their offices, or for the purpose of facilitating improvements, and to whom annual pensions had been granted by way of compensation. Officers coming within the provisions of the Act had been allowed to commute, except in cases where the heads of the Department were unable to certify that there was no definite prospect of re-employment.

CRIMINAL LAW—GREAT NORTHERN RAILWAY COMPANY—INQUEST ON A GUARD—QUESTION.

Mr. STRAIGHT asked the Secretary of State for the Home Department, Whether he has received a complaint from the relatives of a guard of the name of Poulton, lately in the employ of the Great Northern Railway Company, who was killed at the Southgate Station on the 9th of April last, in reference to the coroner's prolonged delay in holding the inquest; whether it is correct that when such inquest was held there was such a scarcity of jurymen that a lad of 17 was sworn on the jury, and that a person who was an eye-witness to the accident to the deceased was not examined; and, whether, having regard to the hurried and imperfect character of the inquiry, the Right honourable Gentleman will allow the inquest to be re-opened and further investigation to take place?

Mr. BRUCE: Sir, I have received a complaint from the son of the deceased man, dated from Leeds, in which he alleges—

> "That his father being a guard of a goods train from Peterborough to London on the 9th of April, had to change some waggons at Southgate Station, and having done so gave the signal to the driver to start, tried to get on to the break, and in doing so, missed his hold of the break, fell underneath the waggons, and was killed."

Information, he added, was sent to the Coroner on the 10th, and on the 12th he had not heard from the Coroner as to when the inquest was to be held. The 11th was Good Friday. On Easter Sunday, the 13th, he called on Dr. Lankester, and urgently requested that an inquest might be held on Easter Monday, instead of Tuesday, the day fixed by the Coroner. The Deputy Coroner consequently consented to go to Southgate on the Monday to hold the inquest. In consequence of the change of day, and the fact of it being a general holiday, there was great difficulty in finding a jury, and a nephew of the deceased, who, it appears, was 17 years of age, but who was six feet high and looked older, was sworn on the jury. The necessary number was, according to the Deputy Coroner's statement, completed after he was sworn. A witness who had seen the accident was sent for, but was absent for a holiday; but three other railway servants, who equally witnessed the accident, gave evidence, and proved that the cause of death was, as it also appears from the son's statement, purely accidental. The verdict of the jury was that the deceased came to his death by failing to catch hold of the rail of the van when trying to get into it after he had himself given the signal for the driver to start. But for the hon. and learned Gentleman's Question I should have thought it superfluous to inform so distinguished a lawyer that a Coroner who has held an inquisition and recorded the verdict cannot hold a second inquisition unless the first be quashed by the Court of Queen's Bench, or a *melius inquirendum* has been awarded, and he be set in motion by the Court. If he do hold such second inquisition without such authority it will be quashed.

ARMY—MEDICAL OFFICERS.

QUESTION.

MR. R. SHAW asked the Secretary of State for War, Whether Medical Officers desirous of representing their objections to the late Warrant will be permitted the same privilege as other Officers of the Army; and, if not, what is the proper course for them to pursue to place before the authorities their objections to the Warrant?

SIR HENRY STORKS: If any Medical Officer in the Army feels that he has any grievance to complain of he should address a respectful communication to the Director General of the Army Medical Department, who, if he thinks it well founded, will submit it for the consideration of the authorities.

ARMY—YEOMANRY CAVALRY—HORSE DUTY.—QUESTION.

MR. MONCKTON asked the Secretary of State for War, Why the Horse Duty is no longer to be refunded to Officers in the Yeomanry Cavalry as formerly; on what principle, in the case of the Sherwood Rangers Yeomanry, the claim for money refunded to the Officers for Horse Duty on May 10th 1872 was disallowed by the War Office in November, in accordance with a War Office Letter dated June 8, 1872, that is nearly a month subsequent to the payment of the money; and, whether he would state what was the nature of that Letter?

SIR HENRY STORKS, in reply, said, the reason why the duty was no longer to be refunded to Officers was that the Duty was no longer required to be paid. Officers were not now required to take out licences. With regard to the Sherwood Rangers, what had been stated was simply this—that the money should have been reclaimed from the Local Surveyor of Inland Revenue, and that not having been done, it could not be allowed in the War Office accounts.

POST OFFICE—EDINBURGH AND GLASGOW LETTER SORTERS.

QUESTION.

MR. MILLER asked the Postmaster General, If he would state to the House the grounds on which the application to him by the letter sorters of the General Post Office, Edinburgh, for an increase of pay has received no answer, while he has at once granted an increase to the letter sorters of the Glasgow Post Office on a similar application made to him?

MR. MONSELL: In answer to the Question of my hon. Friend, I have to inform him that there was a full and complete Report received from the Glasgow establishment in December last, and it was acted upon in April. From the Edinburgh Post Office no complete, but only a partial Report has been received; and therefore I can only repeat the Answer which I gave to his Question the other day—that until the question can be dealt with altogether, I do not think it expedient to enter upon it.

SPAIN—THE SLOOP "LARK."

QUESTION.

Mr. Serjeant SIMON asked, Whether any and what steps have been taken by Her Majesty's Government to procure compensation for the owner and other persons affected by the seizure and detention of the "Lark" by the Spanish authorities in Cuba in 1872, and their imprisonment in that island?

Mr. KNATCHBULL-HUGESSEN: Sir, there has been some considerable delay in the matter of the claims upon the Spanish Government made by the owners and passengers of the sloop *Lark* on the Cuban coast, on account of our requiring to be fully satisfied as to the nature and extent of those claims. I have only this day received the Report of the Governor of Jamaica upon these claims, which leads me to hope that Her Majesty's Government may now be able to take such steps as will bring the matter to a satisfactory solution.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day be postponed till after the Notice of Motion for a Select Committee to inquire into the case of the Callan Schools.—(*Mr. Gladstone.*)

NATIONAL EDUCATION COMMISSIONERS—THE CALLAN SCHOOLS—DISMISSAL OF REV. ROBERT O'KEEFFE.

MOTION FOR A SELECT COMMITTEE.

The Marquess of HARTINGTON rose to move for a Select Committee to inquire into the O'Keeffe case. It would be for the House to consider whether they would choose to enter into a discussion of the matter; but, for his own part, he did not propose to enter into the merits of the controversy; and if, as he hoped, the House would agree to the propriety of an inquiry, it followed that the case was not ripe for discussion, but should await a full statement of the facts by the Commissioners, and all other parties interested. Probably the great majority of the House were tolerably well acquainted with the outlines of the case; but without entering into the merits—and he hoped without running any risk of contradiction from his right hon. Friend (Mr. Bouverie)—it would be convenient that he should shortly state the facts. In the spring of last year a communication from the Bishop Coadjutor of Ossory apprised the Education Commissioners that the Rev. Mr. O'Keeffe had been suspended from his functions as priest of the parish of Callan. On this being read, Mr. Justice Fitzgerald proposed that the communication be acted upon. Mr. Justice Morris moved as an amendment that Mr. O'Keeffe should have an opportunity of knowing the nature of the communication and of offering any explanation which he might deem necessary. The amendment was negatived, the original motion was carried, and in accordance, as was stated by the majority of the Board, with their usual practice, Mr. O'Keeffe was thereupon removed from his office of manager of the schools under the Board, not absolutely, but until the sentence of suspension had been set aside by any competent tribunal. The next step was the appointment of a manager in his place. There were five schools, some of them having a committee, and others not. With regard to the latter, the Board, also acting, as they alleged, in conformity with precedent, appointed the Rev. Mr. Martin —stated by the Bishop of Ossory to be the appointed successor of Mr. O'Keeffe as parish priest—to act as his successor in the management of the schools. With respect to the schools having a committee, a communication was addressed to them, stating that Mr. O'Keeffe had been removed from the management, and requesting that a successor might be appointed. The committee nominated Mr. Martin, and he was confirmed in the appointment by the Commissioners. The Correspondence laid on the Table showed that Mr. Martin entirely failed to obtain access to the schools, or control over the teachers. He was therefore unable to furnish the Returns and other information required by the Board, and, the Board having sent down one of their Inspectors to make inquiries, that Inspector was unable to obtain access to the schools except on one occasion, when he was forcibly ejected by Mr. O'Keeffe. It was quite clear that the regular official communication between the schools and the National Board could not be kept up in that state of things. Many discussions afterwards occurred at the Board, and a great many propositions were made; but it was not necessary at that stage of the proceedings to trouble the House by describing them. The final resolution to which the Board came was, that under the then existing circumstances it could not exercise that due supervision over the schools which was requisite, and therefore they must cease to be treated as National schools. He must now mention what occurred in the House on that subject last year. The removal of the Rev. Mr. O'Keeffe was the only one of those facts then before the House, and his right hon. Friend the Member for Kilmarnock (Mr. Bouverie), on the Report of Supply, moved a reduction of the Vote for National Education in Ireland with the object of calling the attention of the House to the action taken by the Commissioners in that case, and also of censuring that action. The House was not very fully attended at the time. His right hon. Friend the Prime Minister and he himself took part in the discussion. They stated explicitly that they were then not able entirely to support the action adopted by the Board, or to coincide with the view it had taken of its duty; but believing that it had proceeded in perfect faith, and looking at the great services which it had rendered, they said they thought it was highly inexpedient for the House to pass any censure upon the Commissioners. They further said that as it appeared the case would be brought before a legal tribunal, and as a Court of Law might probably pronounce some decision which would affect the *status* of the Rev. Mr. O'Keeffe as parish priest of Callan, they were not prepared then to recommend the Board to reverse the decision it had come to, but to wait for the judgment which might be delivered by a Court of Law, and to take whatever action might then be necessary in reference to the case. That was the position of the Government, and that position they had maintained up to the present time. Well, in that state of facts, the right hon. Member for Kilmarnock having moved for all the Papers and Correspondence relating to the case, had placed on the Journals of the House, a Notice, the effect of which—and he had no doubt the right hon. Gentleman intended it to have that effect—was a direct Vote of Censure upon the Commissioners of National Education in Ireland for the course they had pursued in that matter. That Motion was postponed at his (the Marquess of Hartington's) request, pending the production of further Papers, which would be laid on the Table in a very few days, but which would not materially alter the state of the facts as he had just given them. Well, the Commissioners—or a majority of them, at any rate—finding that a Resolution was about to be proposed in that House censuring their conduct, not knowing what the decision of the House might be on that Motion, came to the conclusion that they ought to be afforded some means of stating their own case and being heard, before the House of Commons was asked to agree to such a Motion. The Commissioners felt that, of all the parties concerned in that case, they alone were without any authorized or accredited representative in that Assembly. The Rev. Mr. O'Keeffe was most ably represented, and his interests, he was sure, would be thoroughly taken care of by the right hon. Member for Kilmarnock. The Government might also be supposed to be capable of defending its own action. If Cardinal Cullen could be regarded as a party to that case, he would, no doubt, have advocates in that House to vindicate his share in the matter. It might be well that he should state briefly what the position of the National Board was. No doubt the Board were, to a certain extent, under the control of the Government of the day. They held their offices during pleasure, and if the Government of the day were of opinion that they could not support the policy the Commissioners were pursuing, it was, of course, competent to the Government to resort to the extreme measure of removing them, and appointing others in their stead. To that extent, the Commissioners were a Department under the control of the Government. But the Chief Secretary was not a member of the Board; he had nothing to do with their ordinary administration; he was not aware of what was done by them until after it had been done; and therefore, excepting on important matters of policy, in regard to which a change of system would, of course, be communicated by the Commissioners to the Government of the day, the latter could not be held responsible, and the Chief Secretary could not be deemed in any sense the organ in that House of the Commissioners. Finding themselves, then, in the position he had described, the Commissioners, or the majority of the Commissioners, had agreed to a memorial which he would read to the House verbatim. It was as follows:—

> "The undersigned Commissioners of National Education in Ireland, having regard to the grave misstatements of facts and motives which have been circulated widely with reference to the course they have adopted in the case of the Rev. Robert O'Keeffe, express their earnest wish for a full inquiry before a Parliamentary Committee, as to the circumstances which induced and have followed his dismissal from the position of manager of five National Schools at Callan, and the removal of four of these schools from the roll of the National Board. They desire to be heard before a decision is pronounced on their public conduct; and claim the opportunity of defence as justly due to them, and to the great interests which may be compromised, should error and misrepresentation be permitted to prevail in a controversy vitally affecting the welfare of Ireland."

That communication was sent to him, and it was signed by an absolute majority, or by 13 out of the whole 20 Commissioners.

Colonel STUART KNOX asked what were the names attached to that resolution, and the date on which it was passed?

The Marquess of HARTINGTON said, it was not a resolution proposed at the Board. He had stated that it was a memorial; but he was quite willing to call it anything that his hon. Friend opposite might wish. It was a communication that had been made through him to the Government, with the intention of being made known to the House, and it was received by him in the course of last week. He would mention by-and-by the names of those by whom it was signed. On receiving that communication the Government thought that when a body such as that asked for an inquiry before their case was decided upon, it was almost, if not absolutely impossible to refuse them the inquiry which they requested. Whatever might be the nature or the functions of a Board whose conduct was sought to be censured, the House, he believed, would hesitate in passing a Vote of Censure upon them before it allowed them to be heard if they asked for that privilege. And when they looked at the character and position of the persons composing the National Board he believed the House would be less inclined to censure them before giving them the opportunity they asked for. In the Amendment to the present Motion which the right hon. Member for Kilmarnock had placed on the Paper it was implied that all the facts were already in the possession of the House. Well, that might be so. The facts, he admitted, as far as the printed Papers were concerned, were already before the House; but when they came to discuss the merits of that question he was much mistaken if a large number of hon. Members who discussed, and a still larger number of those who voted upon it, would not be more influenced in the decision they came to by the articles they might have read in the newspapers, by the *ex parte* statements which might have been made on the one side or the other, than by a careful examination of the dry facts contained in the official documents before the House. It would be seen by the memorial which he had read that the Commissioners referred to misstatements which they said had been made, and it could not, he thought, be denied that grave imputations had been cast upon some of their body. It was, in his opinion, quite open to the Commissioners to allege that the public mind had been prejudiced against them, and that they were desirous not only of bringing the facts of the case under the notice of the House, but also of laying before it the grounds on which they had acted. He would read to the House the names of the Commissioners by whom the memorial had been signed, and they were names which he believed would carry with them as great weight as any which could be selected in Ireland. He did not, however, wish to urge that as a reason why the House should give a decision in favour of the Commissioners. He had no doubt that, whatever the weight and position of the majority of them might be, the House, if, after full inquiry, it came to the conclusion that they had acted unjustly or under a wrong impression, would not be deterred from censuring them. When, at the same time, it was found that some of the most respectable men in Ireland asked for inquiry, and when their names were such as to preclude all suspicion of their having been actuated by sectarian or party spirit, the House would, he felt assured, pause before it condemned them before hearing what they had to say in their defence. The names of the 13 Commissioners who had signed the memorial were as follows:—Lord Kildare, who was the senior Commissioner but one of the National Board, and also Chancellor of the Queen's University; Lord Monck, who was one of the Church Temporalities Commissioners; the Lord Chancellor of Ireland; the Chief Justice of the Court of Common Pleas; and the Lord Chief Baron, who were both members of the Senate of the Queen's University; Judge Longfield, who was a Protestant, and to some extent a representative of the disestablished Church in Ireland; Mr. Justice Fitzgerald; Rev. Dr. Henry, who was President of the Queen's College at Belfast, who was a Presbyterian minister, and a member of the Senate of the Queen's University, and who could not be supposed to be actuated by any strong sectarian views in favour of the Roman Catholics; Mr. Gibson, Chairman of Quarter Sessions, Donegal, who was also a Presbyterian, and who, he believed, sat for some time in that House as Member for Belfast — that gentleman was a member of the Senate of the Queen's University, and placed upon the Commission for the purpose of representing the interests of the Presbyterian Church; Mr. Lentaigne, Inspector General of Prisons; Mr. J. O'Hagan, Mr. J. A. Dease, and Mr. P. J. Keenan. He had not read those names to the House because of the weight of authority which they might command, but because he thought it would be altogether unprecedented in the history of the House if it were to condemn such a body without inquiry. There was another consideration to which he also wished to call attention. The House was perfectly aware of the great services which had been rendered to the cause of education by the National Board in Ireland. The Board had been in existence for more than 40 years, and they had carried into execution the great scheme of National Education which had been proposed by the late Lord Derby—perhaps not in accordance with the wishes of all parties, but with singular success. Under their administration the schools of the National Board had been scattered over the whole of Ireland in the most populous as well as the most remote districts, and in those which were Protestant as well as those which were purely Roman Catholic, they had been successful in enlisting the willing co-operation of the Roman Catholic clergy, and more recently of the clergy of the Protestant and Presbyterian persuasions. That, he maintained, was a very great measure of success consequent on their administration. It was idle for him to disguise that the rejection of the Motion which he was about to make, and the passing of a Vote of Censure on the Board would lead to its immediate disruption. That, however, he did not mean to urge as a reason why the House should not ultimately pronounce such a decision as it might deem right upon their conduct. Whatever might be the disadvantage attending the disruption of the Board, the House would, of course, if it were of opinion that they had acted unjustly, not hesitate as to the opinion which it should pronounce. At the same time the disruption of the Board and the termination of the present system of National Education in Ireland was no light matter. and any resolution leading to that result the House would, he had no doubt, adopt with great regret. He did not mean to say that the system of united education might not be carried out under some other administration; but if the Board were censured without inquiry the House must not shirk the consequences of their disruption and the destruction of the national system of education, which for a period of 40 years had been conducted with great success. In conclusion, he would remind the House that it would labour under a very mistaken impression if it were to suppose that the disruption of the Board would be a severe blow against the powerful influence of what was known as the Ultramontane party in Ireland. That party had never looked favourably on the system of National Education. From its very foundation up to the present moment it had been denounced by Dr. M'Hale, Roman Catholic Archbishop of Tuam, and nothing, he believed, would give that Prelate greater pleasure than to hear that the National Board had been condemned. Cardinal Cullen, too, could not, he thought, be claimed as a supporter by the advocates of that system. The fact was that those who were in favour of it were the moderate Roman Catholics in Ireland. The Protestants, who had held back from it for a time, had also become its adherents; and, under those circumstances, it was clear that it was to the Ultramontane party that encouragement would be given if that House were by its vote to destroy the National Board. It was a mistake, he might add, to suppose that the Motion which he was about to make was intended for the purpose of delay. All that the Commission asked for was to be heard, and it could not take the proposed Committee a very long time to hear what the majority and the minority of the body had to say. It was possible, also, that Mr. O'Keeffe might wish to be examined before the Committee, and that a few witnesses would have to be called with reference to matters of rule and practice. It was quite impossible, however, that the investigation could be so protracted as to prevent his right hon. Friend the Member for Kilmarnock from bringing forward his Motion at a later period of the Session. Besides, he had the authority of his right hon. Friend at the head of the Government for saying that if there were any difficulty in obtaining a day for the discussion of that Motion the Government would take care that one should be provided. He would merely observe further that he could hardly suppose the House would reject the proposal which he had to make, which really was one the acceptance of which was a matter of pure fairness and justice to the Commissioners. The noble Marquess concluded by moving the appointment of the Committee.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into and report to the House the circumstances of the dismissal by the Commissioners of National Education in Ireland, of the Reverend Robert O'Keeffe from the office of Manager of the Callan Male, Female, and Infant National Schools, and the Newtown and Coolagh National Schools, by their Order the 23rd day of April 1872, and of the removal of the said Schools from the Roll of National Schools by their Order the 7th day of January 1873."—(*The Marquess of Hartington.*)

Mr. BOUVERIE, in rising to move, as an Amendment—

"That this House, having partly already before it, and having partly ordered to be laid before it, Copies of all Minutes and Proceedings, and of all Correspondence of the Board of National Education in Ireland, relating to the Schools at Callan or to the Reverend Robert O'Keeffe, do pass to the Orders of the Day,"

said, that the statement of the noble Lord was characterized by his usual candour and fairness, both with respect to this and his (Mr. Bouverie's) Motion for a future day. The noble Lord alleged that the effect of his present Amendment and of the Motion which stood in his name for a future day, would, if carried, be to destroy the national system of education in Ireland —which was an alarming prospect to hold out. That allegation might have well been made as an argument in answer to his Motion of Tuesday next, but it was no reply to the Amendment he was about to move. He wished to deny at the outset that in moving this Amendment to the Motion of the noble Lord he had any sectarian or party feeling in this matter, and no one would regret more than he should if such feelings were imported into this question. Indeed, it was most unnecessary, because the division list of the Commissioners of National Education in Ireland on the Resolutions submitted to their consideration, and also the Papers, showed the question was not one of religious feeling or of a sectarian character. His noble Friend spoke of his being the representative of Mr. O'Keeffe. He could assure the noble Lord that he stood there not as the representative of any person, sect, or party, but solely in the interests of justice, equity, and public prudence. It was not a Protestant gentleman who had first brought this question under his notice, but a distinguished Roman Catholic, who had asked him to look over the Rev. Mr. O'Keeffe's Petition to the House and see whether it was correctly drawn up according to the forms of the House. Having read through the Petition he had been led to look into the Papers connected with the case, and the result had been that he had come to the conclusion that the Commissioners of Education in Ireland, distinguished as they were, and worthy of all commendation in their personal character, had, in this instance, been guilty of an incredible amount of injustice and imprudence. Turning to the immediate question before the House, he complained of the manner in which the noble Lord had treated him in this matter by taking a step which was not in accordance with the usual practice of the House. His Amendment was somewhat old in its form, which was now very rarely used; but it had the great advantage of permitting the House to put aside a Motion as ill-timed without expressing any opinion whatever on its merits. In support of the propriety of the course he had taken in making such a Motion, he begged to quote the authority of Lord Eversley, who had expressed surprise to him on more than one occasion that it was not more frequently resorted to, as it afforded an admirable mode of dealing by way of postponement with a question upon which the House was anxious not to express any decided opinion. He was satisfied that he could not be accused of *laches* in this matter. He brought the subject before the House last year, and the statement of facts he then ventured to make was of so convincing a character that neither the noble Lord nor the right hon. Gentleman at the head of the Government were able to face it, but contented themselves with merely appealing to the House not to destroy the Commission by voting for the Motion he then proposed. Since that time other transactions in connection with this matter had occurred, which he proposed to narrate to the House—although the noble Marquess had entirely passed over them. On the 7th of February, the very day after Parliament had re-assembled for the present Session, he moved for Returns of all the Papers connected with the case. Those Returns were not laid upon the Table of the House until March, and then a considerable time elapsed before they were printed and placed in the hands of hon. Members. On the 22nd of April he gave Notice of his intention to bring this subject forward on the 20th of May, and on the 8th of May the noble Lord, who up to that time had evinced no desire whatever of instituting any inquiry into the matter—and, indeed, he said he thought that everything that could be inquired into in relation to it was fully before the House—came down and gave Notice of this Motion, which was in point of fact an Amendment upon his (Mr. Bouverie's) Motion which amounted to a Vote of Censure upon the Commissioners, and which stood upon the Paper in his name for the 20th instant. Although he had had considerable experience in that House, he could not recollect any instance of a Motion of this kind being dealt with in this way by those having charge of the Business of that House. He did not think that the noble Marquess had intentionally brought forward his Motion to-night in order to put aside his Motion on Tuesday, but that would be its effect at all events. Perhaps the House would allow him to observe that the effect of this Motion upon his own was this — that while it was in truth an Amendment to his Motion the forms of the House would prevent him from bringing forward his own Motion as an Amendment to the noble Lord's. In fact, he was quite precluded from bringing forward his own Motion before the day he had intended, because the Papers in relation to the case upon which it was founded, and which the noble Lord had promised to lay upon the Table of the House had not yet been presented.

THE MARQUESS OF HARTINGTON observed, that the Papers to which the right hon. Gentleman alluded had been presented.

MR. BOUVERIE said, if that were the case they must have been presented within the last 24 hours, and that if they had got into the possession of the public Press they had not yet reached the hands of hon. Members. By the course he had thought fit to take, the noble Lord had gained a great advantage over him. He was not familiar like his noble Friend with the sport at Newmarket; but he had heard that occasionally a practice was resorted to there which was called "roping," and he had an idea that it consisted of driving an adversary's horse against the ropes so as to spoil its chance of winning. He rather thought that in the present case he had been "roped," —quite unintentionally, of course—by the noble Lord. The noble Lord had said that this Motion of his was not intended for purposes of delay. That might be so; but no sensible man could vote for the Motion without feeling that its necessary effect would be to cause delay. The noble Lord had stated that the object of the Select Committee he had moved for was to hear what the 20

Commissioners, and what those who were opposed to them, and perhaps what Mr. O'Keeffe himself, had to say in the matter. All he could say was that if the Committee was to enter fully into a dispute between 20 Irish gentlemen and an exasperated Roman Catholic Irish priest, and had to hear them and probably some Irish Members into the bargain, the noble Lord must be a very sanguine man if he thought that this matter would be at an end within a reasonable time before the Session terminated. When a discussion was before the House with respect to Maynooth many years ago, Mr. Vincent Scully, the then Member for Tipperary, after having occupied the whole of a Wednesday afternoon sitting, remarked, when the debate stood adjourned at a quarter to 6 o'clock, that he had then spoken upon four points out of the 12, of which his speech was to consist, and that he would reserve the other eight points for a future debate. Hon. Members might, therefore, judge what probability there was of a controversy of this sort being speedily concluded. What was the meaning of this proposed inquiry? The noble Lord had admitted that the facts of the case were all before the House, and it was upon the facts that the House would be called upon to determine the question. The noble Lord had gone through the facts very briefly; but he would go through them a little more in detail, because they were important. He should commence with the resolution of the Commissioners of the 23rd of April of last year. Mr. O'Keeffe having been suspended by Cardinal Cullen because he had brought an action in Her Majesty's Court of Queen's Bench in Ireland, the fact of his suspension was communicated to the Irish Board of Education. It also appeared that he had been dismissed from his office as chaplain to the workhouse at Callan. The Commissioners of the Poor Laws in Ireland did what he should have thought all just and rational persons would have done when a charge was made against a man affecting his position and character — they communicated with Mr. O'Keeffe with regard to the announcement that had been made to them, and they asked him what he had to say on the subject. They did not indeed pay much attention to his reply; but the Education Board, not having taken that course, and having dismissed him without any communication, he (Mr. Bouverie) was entitled to assume that if the rev. gentleman had been heard he might have satisfied them that he had good grounds for what he had done, and ought not to have been suspended. Mr. O'Keeffe then had no knowledge of his suspension as manager of these schools until the Board communicated to him that he had been suspended. That suspension was carried by a resolution which the House would, he hoped, allow him to read. It was passed on the 23rd of April. He ought, however, to explain that at the previous fortnightly meeting the minority on the Board had proposed that a communication should be made to Father O'Keeffe that he had been suspended. The matter was thus noticed in the Minutes on the 9th of April—

> "The Right Hon. Mr. Justice Fitzgerald moves—'That the consideration of the Rev. W. Martin's letter be postponed to this day fortnight, and that no reply be given in the meantime.' Lord O'Hagan (the Lord Chancellor) seconds this motion. The Right Hon. Mr. Justice Morris proposes as an amendment—'That a copy of the Rev. Mr. Martin's letter be sent to the Rev. Robert O'Keeffe, the present manager of the Callan National Schools.' The Rev. J. H. Jellett, F.T.C.D., seconds this amendment. On a division, the amendment was declared lost by a majority of one."

On the 23rd of April it was

> "proposed by Mr. Justice Fitzgerald, and seconded by Lord O'Hagan (Lord Chancellor) that 'the certificate of the Roman Catholic Coadjutor Bishop of Ossory be received and acted on by the Board until the suspension therein mentioned shall have been removed or declared invalid by a competent tribunal.' It was proposed as an amendment by Mr. Justice Morris, and seconded by Mr. Waldron, that—'Before any action should be taken on the letter of the Rev. Mr. Martin to the Board, or on the letter of Dr. Moran, Coadjutor Bishop of Ossory to the Resident Commissioner, the Rev. Mr. O'Keeffe get the opportunity of knowing the nature of the application made, and of offering an explanation.'"

He had had no Irish experience; but he thought that Irishmen were celebrated for their love of justice, and he should have supposed that such a proposal as that of the 9th of April made before any 20 gentlemen in the world would have commanded universal assent, and that before they proceeded to dispossess Mr. O'Keeffe they would have communicated the charge made against him. The Commissioners, however, adopted the resolution of Mr. Justice Fitzgerald, and did as much as was in their power to oust Mr. O'Keeffe. It was a remarkable thing that according to their own rules the Commissioners had no power to remove the manager of a school. They were acting *ultra vires*, and did what they had no more business to do than if they attempted by resolution to remove the Speaker from the Chair of that House. That was the first act, and he had thought it his duty to bring it under the notice of the House. It ought not to be lost sight of that this resolution of Mr. Justice Fitzgerald's was only carried by a majority of one, and one of these gentlemen was the counsel of Cardinal Cullen in his action against Mr. O'Keeffe. Mr. Martin, who was appointed parish priest in the place of Mr. O'Keeffe, was named manager of the schools by the Board. Mr. O'Keeffe was still recognized by the parishioners as their priest, and was accepted by the parents, children, and teachers as manager of the schools. He could not, however, draw the salaries which were always paid through the manager, and the Board no longer recognized Mr. O'Keeffe as manager. On the 5th of November Mr. Justice Lawson, thinking that the existing state of things was not creditable to the Board, and having been one of the minority, moved to repeal the resolution of April 23rd, but was again defeated. The Board had by the decision of that House obtained a *locus pœnitentiæ* and this would have been a capital opportunity for the Board, if they had chosen, to repeal their previous resolution. They, however, refused. Mr. Justice Lawson felt that a great hardship was being inflicted upon the teachers and the scholars, and he moved on the 17th of December that the Treasurer should be allowed to pay the teachers directly without the intervention of the manager. The Board, however, by a majority of of 12 to 5, refused to agree to this proposal. The minority were not satisfied, and Mr. Justice Morris, a Roman Catholic gentleman, on the 7th of January again brought forward a resolution that the Callan schools should be allowed to go on under the management of Mr. O'Keeffe. Upon that Mr. Justice Longfield moved to strike the Callan schools altogether off the rolls of the national schools. The latter resolution was carried by 10 to 6, and the result was that because Mr. O'Keeffe refused to allow himself to be denounced as a liar —by his own curate in his own parish church, and because he brought an action against his curate in a Civil Court and recovered damages, and because he was for bringing that action suspended by Cardinal Cullen on Papal authority, that therefore the teachers and children of the Callan schools were to be deprived of all public assistance. This astounding conclusion was another illustration of the old proverb—"That a bad beginning makes a bad ending." But that was not all. It appeared that Mr. Justice Longfield, a man of great ability and eminence, wrote a letter to the Board defending the course pursued by the majority, which would appear in the Papers. In this he suggested that the Board might be disposed to take an altered view of the case if an entirely new application were made for admission of the schools on the roll. It was rather an odd thing to English minds —if his Irish Friends would allow him to say so—that disagreements and differences having occurred among the Board, the dissenting minority and some of the majority as well should write letters in order that they might appear on the Minutes of the Board—a proceeding as irregular as if the Members of that House addressed letters to the right hon. Gentleman in the Chair about the matters in dispute in the House to be published in their Records. Mr. O'Keeffe thus appeared to have received a hint to present himself *de novo* to the Board as if he had been a stranger in these transactions, and as if he had started afresh as the manager of these schools, and that then the Commissioners would have to consider whether his schools should be taken on under this fresh application. Mr. O'Keeffe took the hint. An application was made, and an Inspector was sent in the regular way to look at these schools. He reported in their favour, and the Commissioners were bound, under ordinary circumstances, to make him manager of these schools. What did they do? On the 29th of April the Board passed a resolution—

"That the application of the Rev. Robert O'Keeffe for aid to the Newtown and Callan schools be not complied with, inasmuch as he was removed from the management of those schools by our order of the 23rd of April, 1872, until his suspension as parish priest of Callan, mentioned in that order, should have been removed or declared invalid by a competent tribunal, and inasmuch as it does not appear that such suspension has been removed or declared invalid by a competent tribunal."

The Board declared that until his suspension as a priest by Cardinal Cullen had been removed or declared invalid by a competent tribunal, he should not be reinstated. So that this gentleman once tarred with this brush of suspension, became a pariah and an outlaw. The Cardinal had damned him in this life, at any rate. He had no rights—he was not to be treated as a British subject, and when he came in the ordinary and regular way before the Board and asked to be appointed as manager of these schools, the Board told him—"You have been suspended by a competent tribunal — by Cardinal Cullen as the Legate of the Pope—and as long as you are thus suspended we will have nothing to say to you." He was not prepared to allow a body of lay gentlemen, who, as a public body, had the administration of public money to the extent of £500,000 per annum to act in this manner towards parents and children in Ireland. All these facts appeared in the Papers, although the noble Lord had thought it unnecessary to touch upon them, and these were the facts which the House had to decide upon. "Oh but!" said the noble Lord, "we have a memorial from the Commissioners" — not, the House would observe, from the Commission. There was some confusion in the noble Lord's statement upon this point. There might be a memorial from the 13 Commissioners who formed the majority, but not from the Commission, and he was not at this moment asking the House to censure the Commission. The Commissioners made a terrible mistake. [An hon. MEMBER: No, no!] In his opinion they did make a terrible mistake, because they acted contrary to the first principles of justice. He should not ask the House to censure individuals, but to censure the Board which carried on business and which had a common seal, and the whole proceedings of which must be in writing. How was a Board to be heard *viva voce* before a Committee? The proceedings of a Board must be entirely a matter of record, must consist of written Minutes, and no one person, or two or three or any number of members of that Board could by any possibility, according to strict Parliamentary practice, speak as the Board. Two or three men, although the most eminent members of the Board, could never be construed to be really the Board itself. If the Board as such wished to make a defence of the Board, his noble Friend, instead of moving for a Committee of Inquiry — which was, in reality, a substitute for the old-fashioned practice of examining persons at the Bar of the House—should have informed those members who had applied to the Government that the only way in which a defence could be made by them was by putting their statement in a Petition from the Board. That would have been the proper course to pursue. He had observed his noble Friend had carefully avoided saying that he was prepared to defend the Commissioners. His noble Friend said they were not represented in the House. But as there had been Ministers of State who were prepared to defend public Boards when they were right, he concluded that his noble Friend was not prepared to defend the Board, believing they were not in the right, although he was willing that an opportunity should be afforded to some of them of being heard before a Committee. But his noble Friend had lost sight of the fact that one of his Colleagues, the Lord Chancellor of Ireland, was a member of the Board, and that two other members of the Board—Lord Kildare and Lord Monck—were both Peers of Parliament, and at any rate in the other House had the fullest opportunity, if they wished, to state their case and repudiate those statements which it appeared had created so much distress in their mind. When the House was by the admission of his noble Friend in possession of all the facts of the case—and Notice had been given of a Motion of Censure upon the Commissioners arising upon those facts —was it not almost an absurdity to interpose with a Motion to enable a portion of that Board to be heard before a Committee? It did seem extraordinary that these eminent, learned and distinguished gentlemen, who raised such a clamour to be heard because they had been accused in the House of Commons, and in newspapers with which the House had nothing to do, refused absolutely to hear what Father O'Keeffe had to say. Not only did they refuse to let him have an opportunity of being heard, but they would not even give him notice that he was to be dealt with. [*Cheers*, in which Mr. Gladstone joined.] He was glad he had the assent of his right hon. Friend at the head of the Government. He knew that he had the judgment and feeling of his right hon. Friend with him on this matter. His right hon. Friend would never have made the speech which he made last year if he at any rate had not been convinced that the Commissioners had committed a most fearful mistake. At the time of the debate on this subject last year, he (Mr. Bouverie) said, that the Commissioners, by treating the suspension as valid "until it was removed by a competent tribunal," were putting themselves in a most terrible dilemma, because the question of the competency of the suspension would come before the Court of Queen's Bench. The Court of Queen's Bench had since decided that the suspension was illegal, and that the jurisdiction which Cardinal Cullen had attempted to exercise over this priest had no foundation in the common or the statute law of this country. Was that a decision by a competent tribunal? What interpretation were the Commissioners going to put upon that? They were in the dilemma of having either to restore Father O'Keeffe in the face of Cardinal Cullen's suspension, or they must insist that the decision of the Court of Queen's Bench was not worth the paper it was written upon, and they must uphold Cardinal Cullen against the Law Courts of the country. One of the Commissioners, Dr. Henry, had written a letter to the Board, not being himself present when the decision was given, expressing his approbation of the contemplated suspension of Father O'Keeffe, in which he stated that—

> "Mr. O'Keeffe may have appealed to legal tribunals, but that does not alter our position as Commissioners, for it is clear that no legal decision, or any issue that would be sustained in a Court of justice, could reinstate him as parish priest contrary to ecclesiastical jurisdiction."

If the view which Dr. Henry took of the duty of the Commissioners was correct in the administration of public funds granted by the State, they were subservient serfs of the ecclesiastical jurisdiction of Cardinal Cullen—of that ecclesiastical jurisdiction which had been decided by the highest criminal authority in Ireland to be utterly illegal. That was really a very grave question, and he wished before he sat down to remind the House that he was not asking them now to decide upon it. He had gone into the facts more fully than the noble Marquess, because he thought it of importance that the House should be in possession of them. The noble Marquess's Motion was simply one which would cause interminable delay, and was not called for by the justice of the case. It was not necessary to hear individual Commissioners for the House to decide whether or not to pass a Vote of Censure upon the acts of the Commission as a body, and if the House was prepared to give the "go-by" to this conduct of the National Education Commission, in the fear that by passing the Vote of Censure he should propose on a future day they would destroy that Commission, all he could say was—and he hoped the House would agree with him—that, if their conduct in the case of Father O'Keeffe was to be taken as an example of the principles upon which they were to conduct their business, and deal as between man and man with the subjects of Her Majesty, the sooner that Commission came to an end the better. The right hon. Gentleman concluded by moving the Amendment of which he had given Notice.

MR. SAUNDERSON seconded the Amendment.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "this House, having partly already before it, and having partly ordered to be laid before it, Copies of all Minutes and Proceedings, and of all Correspondence of the Board of National Education in Ireland, relating to the Schools at Callan or to the Reverend Robert O'Keeffe, do pass to the Orders of the Day,"—(*Mr. Bouverie*,)

—instead thereof.

MR. CARDWELL desired to say a very few words on the question before the House. His right hon. Friend the Member for Kilmarnock (Mr. Bouverie) told the House, in his concluding sentences, that he did not ask for an immediate judgment upon the main question involved; but in some parts of his speech his right hon. Friend addressed remarks to the House—and in some parts of the House there was a great willingness to receive the observations with applause, if not with excitement—which would have been suitable to an occasion on which they were arguing the main question. What Her Majesty's Government now said was that they were not prepared to decide the question now, and they claimed for those whose conduct was impugned that fair hearing and that amount of justice which, as far as his experience had gone, was never refused in an assembly of Englishmen, even upon a question of religious excitement. His right hon. Friend had accused, not individual members of the Commission, but the whole Commission of being guilty of injustice, imprudence, and folly, and had stated that they were no longer fit to dispense the public money or to deal with the great questions which came before the Board of Education in Ireland. These were serious charges, and ought not to be decided upon under any circumstances which should leave the decision open afterwards to impeachment or dispute. But under what circumstances did his right hon. Friend ask the House to arrive at a conclusion? He said, in effect, that, as the Commissioners did not allow a hearing to Father O'Keeffe, they, in turn, should have no hearing granted to them; which was to say that in this solemn matter he wished the House to imitate conduct which he himself condemned. His right hon. Friend also said, the Commissioners were no longer fit to perform those duties they had hitherto discharged with such signal benefit to Ireland. Further, his right hon. Friend said—and he could scarcely believe his ears when he heard the words—that as three of the Commissioners—the Lord Chancellor of Ireland, Lord Kildare, and Lord Monck—had seats in the other House of Parliament, they had an opportunity of making a Parliamentary defence. It was the first time in his life that he had heard the statement that accusations in the House of Commons were to be answered by speeches in the House of Lords. The question for that House was not what should be done hereafter by the House of Lords, but what the House of Commons should now do. They were bound to proceed with deliberation and fairness, and in order to this it was necessary to take such preliminary steps as should render their judgment indisputable and unimpeachable when it had been arrived at. His right hon. Friend objected to the demand of these 13 gentlemen, because it was not the act of the whole Commission; but did his right hon. Friend forget that it was the demand of all the members of the Commission whose judgment had been assailed? And what was the demand? It set forth that the signataries, Commissioners of National Education in Ireland, having regard to the grave misstatement of facts and motives which had been circulated widely with reference to the course they had adopted in the case of the Rev. Father O'Keeffe, claimed to be heard before a decision was pronounced on their public conduct, and claimed the opportunity of defence so justly due to them, and to the great interest which must be compromised in a controversy so vitally affecting the welfare of Ireland. Would the House refuse this demand, and arrive at a conclusion condemnatory of the conduct of the memorialists before they were clear that they were not acting upon grave misstatements, and in the absence of further information as to what had been done? Such a course had never before been taken by the House of Commons, and he hoped it would not be pursued now. His noble Friend asked the House to appoint a Committee, not for the purpose of delay, but in order that the statements of the Commissioners should be before them before arriving at a judgment on the question involved. It was not right, therefore, now to discuss the merits of the case, and prejudice, by anticipatory appeals to feeling, the solemn judgment which the House must pronounce when all the facts had been brought out, and which should be so formed as to be sound, impartial, and unimpeachable.

Dr. BALL said, his reason for opposing the appointment of the Committee was not altogether in accordance with those which had already been assigned either in the House or out of it. Nor did his view of this case agree with much that had been put forward in public discussion, and therefore he rose early in the debate to put before the House what he ventured humbly to submit was the true view of this question. He wished first to clear the subject of one incident which occurred at the commencement, and which was the only matter before the House when he spoke upon it last year. At the time to which he referred the only question before the House was the refusal of Mr. Justice Morris's application that Mr.

O'Keeffe be informed that the fact of his suspension had been communicated to the Commissioners, and that he be heard with reference to it. On that occasion he pointed out that the refusal to hear Mr. O'Keeffe might be pregnant with very grave consequences, because it was not a case decided upon the ordinary rules and discipline of the Catholic Church, but one which had been decided in an extraordinary and unusual way. He distinctly declined to adopt the principle that a clergyman, whether of the Catholic or Disestablished Church, was not bound to accept the judgment of his Bishop, who had proper jurisdiction over him. But he pointed out that the Commissioners had shut their eyes to the fact that this decision was no exercise of the ordinary authority of the Bishop of Ossory, but was the act of the Cardinal, Archbishop Cullen, and he had also pointed out—because it was a subject of which he was thoroughly master—that in no church in these realms had an Archbishop original jurisdiction in the diocese of another Bishop, and that the jurisdiction could only be by way of appeal. But how stood the case? The instrument of suspension of Cardinal Cullen commenced by reciting that he had been commissioned, not that he was proceeding by consent, but as special Legate direct from Rome. He had shown that Justice Lawson brought that fact before the Commissioners. He had pointed out that that touched a serious question. Here was an individual taking upon himself to exercise authority—reciting that his authority was not by consent nor by his office as Archbishop but by an instrument giving him special authority direct from a foreign Power—to adjudicate upon the property and upon the rights of a British subject. In the Court of Queen's Bench the Lord Chancellor proceeded to plead that that rescript from "Rome" was legal, and gave Cardinal Cullen authority within the British dominions. Mr. Justice O'Brien, one of the Judges, said it was a legal document; but two Catholic Judges—Justices Barry and Fitzgerald—pronounced the document illegal. Illegality was not, however, the whole of it. This was a document that touched the supremacy, and he challenged the contradiction of the Law Officers of the Crown when he said that whatever touched the supremacy was a misdemeanour in Common Law. Now, let the House see what a hole the Board got themselves into by not asking Mr. O'Keeffe to state his case. The Commissioners had never allowed themselves to be informed of this rescript, or considered whether it was legal or illegal. There were great lawyers on the Board, who, if the matter had been brought before them, might have paused and seen that this was not an ordinary case, and that, therefore, the ordinary precedents did not apply. He had heard it said that a statement he had made to the effect that a person accused should be heard before any proceeding was taken to remove or injuriously affect him applied only to Courts sitting as Courts. On that subject he would quote a recent judgment of Lord Hatherley in a case in which a Board had, as here, removed a person without hearing him. What did Lord Hatherley say?

> "No one would expect to find that such a course had been adopted in any assembly of English people, who were accustomed in some degree to the ordinary principles of justice, although they might have but a crude idea of its form."

The Commissioners were, therefore, in exactly the same position as a Judge when proceeding to deal with a man's *status*, his office, and his duties. There was too much in the discussion about Cardinal Cullen and Father O'Keeffe, as if the whole question at issue related individually to them. For his part, he could not but think that the interests of the children and of the schools imperatively demanded to be considered. What grounds had the Commissioners for saying—"Let this litigation go on between the Cardinal and the Priest? We will wait till it terminates or until the Cardinal has withdrawn his interdict." When would that be? Why, the question on which the Court of Queen's Bench had given judgment would be brought to the Court of Error, and probably be carried to the House of Lords, and during all that protracted litigation were the schools to be closed, the children uncared for, the interests of education neglected? Were the Commissioners during that long interval practically to say that they would not give 6*d*. to a number of schools which their own Inspector had reported as being conducted with great success and ability? That was what he particularly condemned in the conduct of the Commissioners, and it was a matter which needed no inquiry. Mr. Justice Lawson made a proposal which, had it been accepted, would have redressed the whole matter:—"Let Cardinal Cullen and Mr. O'Keeffe continue their litigation; but let us meanwhile pay the teachers and continue the education of the children." One of the Commissioners had intense scruples on the subject, and said—"Oh, the Treasury would never sanction the payment." Well, they wrote to the Treasury, and, to the credit of the Chancellor of the Exchequer, they were authorized to pay the teachers. Having got that authority, Mr. Justice Lawson saw a way out of the difficulty, and recommended that the teachers should be paid, not through either Father O'Keeffe or the Bishop of Ossory, but through the Inspector, so that the education of the children might be carried on. That proposal was rejected, and the interests of the schools, of the children, and of education were utterly disregarded. The Lord Chancellor of Ireland anxious to maintain the position of the Cardinal—he would be a most ungrateful man if he were not—and the other Commissioners forming the majority—on the part of one of whom, at least, there existed a strong feeling towards Father O'Keeffe—declined to assent, not manifesting by such a course that interest in education which might be expected from a Board to which was committed the well-being and elevation of the children. He admitted that in ordinary cases rules were to be followed; but it was a true remark of Mr. Burke's with regard to official rules, that there were times when it was dangerous to adhere too strictly to them—when much greater evils might be incurred by not having the manliness and boldness to shape out the course which the circumstances required. The present was a peculiar case. There was no precedent for an Irish priest venturing to come into conflict with a Legate from Rome. There was no precedent for a Roman Catholic priest having the courage to proclaim, as Mr. O'Keeffe had done, that *In cœnâ Domini* was not the law of England, founding himself upon evidence given by a Roman Catholic Bishop before a Committee of the House of Lords. When a great crisis of that kind arose—when vast interests were at stake—when a conflict touching the supremacy of the Crown on the one hand, and the *status* and rights of a Roman Catholic ecclesiastic who claimed to exercise a certain jurisdiction as the Pope's Legate on the other, was pending, it was no time for peddling. It was not the ordinary case of a Bishop suspending a curate for downright disobedience to ecclesiastical law and rule. The Commissioners ought to have felt that it was no ordinary case, and in the interests of education have acted as the independent representatives of British protection and British justice. They ought, too, to have remembered that Mr. O'Keeffe had rights in his individual capacity as proprietor of two schools. He was absolute owner of ground and buildings. Suppose a Member of the House of Lords who happened to be a clergyman was involved in some transactions in reference to schools on his private estate, could the Commissioners refuse to deal with him in his capacity of owner because he was also a clergyman? How could they escape from their own rules in reference to that part of the question? They refused to recognize his right as a private owner because he had been suspended as a priest, and because there seemed to be a determination on their part to stand by the assertion of the ecclesiastical supremacy and by the authority of Cardinal Cullen. Was there anything to be gained by the Committee asked for by the noble Lord? They were to inquire and report to the House the circumstances of the dismissal of Father O'Keeffe. Why, there were no circumstances connected with the dismissal but those he had stated. He was dismissed under an instrument in the hands of the Legate from Rome giving authority to that effect. All the resolutions of the Commissioners were founded upon that. They were not asked to inquire whether the rules of the Board were or were not wise—whether in the interest of the children they ought to be altered. He agreed with his right hon. Friend that with the conduct of the Commissioners as individuals they had nothing whatever to do. The question was, whether their final vote, given in their public capacity, was or was not prudent? On that subject what information could they obtain that they had not before them? They had a Paper of great ability by Judge Longfield, defending the Commissioners.

They had an exhaustive Paper of 40 pages by the Lord Chief Baron, in which was evidenced that regard for minuteness of investigation which characterized him. On the other hand, they had a Paper of three pages by Mr. Justice Lawson. If the Judges were in conflict, would it not be wiser and more seemly that such conflict should be upon paper, and not be extended to *viva voce* evidence before a Committee? The question had been now open upwards of a year. Paper after Paper had been produced; Notice after Notice had been given. Was it desirable that they should have the Lord Chancellor giving evidence on one side and Mr. Justice Morris on the other? He could conceive no course more likely to produce discord and those feelings which the judicial mind was incapable of entertaining in the serene atmosphere the Judges breathed. The arguments which had been addressed to the House from the Government bench were directed against the Motion of his right hon. Friend the Member for Kilmarnock (Mr. Bouverie), which was not now before them, and showed no necessity for the inquiry asked for. They went to show how extraordinarily cautious the House ought to be, lest by placing distinguished men under censure they should be driven to resignation. No one was less disposed than he was to say or do anything calculated to lead to such a result. There were in the majority and in the minority on the Board men who were his most intimate personal friends. Could any one believe that, having lived on such terms of intimacy with them as he had, he would be a party to any expression of opinion tending to lead to the resignation of any of them, than which no result was more to be deprecated? But this he said—a great crisis had arisen; it was desirable and necessary that no procrastination should be allowed; that the interest of education should be upheld; and that the question should be taken out of the arena into which they were now sending it—the arena of personal ambition, personal conflict, and personal discord.

Mr. COGAN said, he regretted that attempts had been made to excite religious fanaticism over this question. He would appeal to the fair play of the House not in a case where grave accusations were preferred against men of the highest eminence, who had been discharging important duties under no ordinary difficulties, to refuse them a hearing on the ground that they had refused to hear Mr. O'Keeffe. He reluctantly refrained from entering on the present occasion into the case and offering, as he believed he could easily do, a conclusive defence of the Commissioners. To do so now would be irrelevant, and beside the question, as were the speeches of his right hon. Friend who had last spoken, and that of the right hon. Member for Kilmarnock. The question now was, would the House refuse to allow the Commissioners the justice that they claimed as of right, that they should be allowed to state before a Committee of this House the grounds for the course they had taken, and to show that they had acted according to an established rule, as was evidenced by many precedents applied to Catholic and Protestant clerical managers of schools alike, and to show that the adoption of any other rule must tend to the break up of the system? When that Committee reported would be the time to discuss the merits of the case in the House of Commons. Their uniform rule since the establishment of the Board by Lord Derby had been to require in the case of every clergyman, Protestant or Roman Catholic, a recognition of his ecclesiastical *status* by his superiors, and never to discuss the grounds on which that recognition was withdrawn, and they were obviously unfit to act as a Court of Appeal in ecclesiastical matters. That line had been consistently followed by Archbishop Whateley and others who were not likely to be the "subservient serfs" of Rome, and the Board of Charitable Bequests had a similar rule, while the statutes of Queen's University provided that a Dean of Residence must have the approval of his ecclesiastical superior. The Poor Law Commissioners, moreover, suspended Mr. O'Keeffe from the chaplaincy of the workhouse 11 weeks before the Education Board took action respecting the schools. Irish Members sitting opposite should consider the difficulties which would arise if Parliament insisted on the abandonment of the rule, and the educational anarchy which would result from the destruction of the great fabric which for 40 years had rendered incalculable service. He deeply regretted that his personal friend, Mr. Justice Lawson should have penned serious accusations against his colleagues, imputing to them that they were prejudging questions they might some of them have to try as Judges, and suggesting that they were the mere registrars of Ecclesiastical mandates. They should have known that they were men incapable of being actuated by improper fear or mean motives; and as to the vote of Mr. John O'Hagan, it should be remembered that the resolution of the Board conveyed no opinion on the legality or illegality of the ecclesiastical suspension. Had it done so, as was alleged it ought, the objections as to pre-judging questions which might hereafter come before the Judges, would indeed have some foundation, and of itself alone should be a conclusive proof of the wisdom and necessity of the practice the Board adopted. It was important that the schools should have a manager respected by the people and reverenced by the children, and the responsibility for the educational interdict lay with those who by force and unseemly conduct had prevented the continuance of the schools. He was confident that after calm deliberation by a Committee the House would come to a decision honourable to the Commissioners and conducive to the peace and happiness of Ireland.

Mr. AGAR-ELLIS said, he thought his right hon. Friend (Mr. Bouverie), after postponing his Motion at the request of the Government, should not be precluded from bringing it forward by this proposal for a Committee. He hoped English and Scotch Members would give no credit to the threat that the condemnation of the Commissioners would result in their resignation and in the destruction of mixed primary education in Ireland.

Colonel STUART KNOX said, that the document which had been read by the noble Lord the Chief Secretary ought not to carry the slightest weight. It was, in fact, a sneaking document. It had been signed by a certain number of the Commissioners behind the backs of the rest. After the Board had said that it was not necessary to have any further inquiry, the Motion now brought forward was not one that should have any weight with the House. The people of England, represented even as they were in that Parliament, would not allow Cardinal Cullen to govern Ireland.

Mr. NEWDEGATE, who rose amid cries of "Divide," said: I have no intention of detaining the House more than a few minutes; but as Mr. O'Keeffe has written to me I am anxious to say a few words in his favour—although so intense seems the prejudice of some hon. Members that they cannot understand how a Roman Catholic priest could communicate with me. Well, Mr. O'Keeffe has done so, and he has done it for this reason, I suppose—because he knows that I am likely to understand his case. I have a very few words to say, and they are these: let the House remember what they have to decide, whether Mr. O'Keeffe shall be heard before the body of this House—it is to decide. One of our chief functions here is to hear the grievances of Her Majesty's subjects; and Mr. O'Keeffe, as one of Her Majesty's subjects, holding himself to be aggrieved, appeals to the House of Commons to be heard. Her Majesty's Government propose that Mr. O'Keeffe shall not be heard before this House—if at all—until a Committee has heard the case of the Commissioners of National Education in Ireland. Now I put it to the House, which is the aggrieved party —Mr. O'Keeffe or the Commissioners? And I appeal to the justice of the House not to allow a British subject to be deprived of that right of appeal which is common to Englishmen, because Her Majesty's Government wish to put in a plea in defence of the Commissioners, who have unjustly dealt with this individual. The Government seem to desire to make it appear that they are not responsible for these Commissioners. Have these Commissioners, then, a separate and independent authority of their own? Are they self-existent—independent of the Government of this country? This cannot be so, and I say that Her Majesty's Government have no right to shirk responsibility for the conduct of this Commission. This question has now been before Parliament for more than six months. Last Session we were met with a plea for delay, and the House acceded to that plea. Six, seven, eight, nine months have passed, and again we are asked to delay. What a contrast does the conduct of this House present to that of the Prussian Parliament! We are informed to-day by *The Independance Belge* that the Prussian Parliament have completed their legislation on this subject, involving as it does the maintenance of the supremacy of the State, which there, as well as here, has been invaded by the intrusive authority of a foreign Pontiff. The day before yesterday the Emperor of Germany signed the new laws for the defence of the State of Prussia against the invasion of his rights and those of his subjects. You have it admitted by Cardinal Cullen himself that he acts here under an authority which your Courts have declared to be illegal. He has used that authority to the injury of a British subject. He has used that authority to remove Mr. O'Keeffe from the possession and management of property which is avowedly his own. Sir, I do trust, when such a grievance as this, when such a manifest defiance of the law, and when such an invasion of the supremacy of the Crown is not only alleged but admitted, that the House of Commons will not shrink from hearing Mr. O'Keeffe.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 159; Noes 131: Majority 28.

Main Question put, and *agreed to*.

Select Committee *appointed*, "to inquire into and report to the House the circumstances of the dismissal by the Commissioners of National Education in Ireland, of the Reverend Robert O'Keeffe from the office of Manager of the Callan Male, Female, and Infant National Schools, and the Newtown and Coolagh National Schools, by their Order the 23rd day of April 1872, and of the removal of the said Schools from the Roll of National Schools by their Order the 7th day of January 1873."

MR. NEWDEGATE said, that he had reason to believe that a large number of Members left the House under a misunderstanding. They did not expect that a division would have been taken as early as it had been. That circumstance he regretted very much; but he rose chiefly for the purpose of asking when the Government proposed to move the nomination of the Committee?

MR. GLADSTONE said, the only answer he could give was that the Government were anxious to prosecute the inquiry with all possible speed. It would be their duty to lose no time in preparing the materials for the nomination of the Committee, and doing everything in their power to expedite its sitting, with a view to an early Report.

MR. NEWDEGATE: On what day does the right hon. Gentleman propose to nominate the Committee?

COLONEL STUART KNOX: Perhaps the right hon. Gentleman would also state of what number it is to consist?

MR. GLADSTONE said, it was impossible to name a day for the nomination of the Committee until inquiries had been made as to the Members who were willing to serve upon it; but they would not lose an hour in proceeding with the matter so far as it depended upon them. In answer to the hon. and gallant Gentleman, he might state that, in his opinion, a small Committee would be the one best qualified to prosecute this inquiry with despatch.

MR. BOUVERIE asked whether, when the Committee had reported, the Government would give him, if necessary, a day for bringing the subject before the House in accordance with the promise made by the noble Lord the Chief Secretary for Ireland?

MR. GLADSTONE: Most certainly.

And, on May 22, Committee *nominated* as follows:—Mr. Secretary CARDWELL, Mr. GATHORNE HARDY, Mr. WHITBREAD, Mr. BOURKE, The O'CONOR DON, Dr. LYON PLAYFAIR, and Mr. CROSS:—Power to send for persons, papers, and records; Three to be the quorum.

PEACE PRESERVATION (IRELAND) BILL.—[BILL 145].

(*The Marquess of Hartington, Mr. Secretary Bruce.*)

SECOND READING.

Order for Second Reading read.

THE MARQUESS OF HARTINGTON, in moving that the Bill be now read a second time, said, its object was to continue in operation till June, 1875, the Peace Preservation Act and the Protection of Life and Property Act, which would otherwise expire in June next. These exceptional measures of repression had been very successful in their object, and under their influence crime had greatly decreased in Ireland, although the state of the country was not such as to justify the Government in relying as to the future entirely upon the operation of the ordinary law. The present Act had been passed in 1871, and in Westmeath the number of agrarian offences was in the year preceding 103; in 1871—during a portion of which only the Act had been in operation—they fell to 40; in 1872 to

25; and in the present year only 4 outrages had been reported. In Meath, to part of which only the Act extended, the number of those offences was in 1870, 95; in 1871, 16; in 1872, 9; and in the present year, 1. In the King's County, to only a portion of which also the Act applied, the number was in 1870, 38; in 1871, 24; in 1872, 15; and in 1873, 6. The Reports of the police as to murders and attempts at murder showed an almost equally satisfactory decrease. In the county of Westmeath there was a diminution of this class of crime from 11 in 1870 to 2 in the present year. In Meath there was a falling off from 4 in 1870 to 1 in 1872, and no case had been reported this year. The effect of the Peace Preservation Act upon crime in general in Ireland had been equally beneficial. In 1869 there were 767 agrarian outrages recorded; in 1870—including several months of 1869-70 previous to the passing of the Act, when the state of the country had become extremely bad—the number of agrarian outrages reached 1,329; in 1871 they sank to 373, a diminution of nearly 1,000 compared with the previous year; and in 1872 they were 256. A considerable proportion of these outrages consisted of threatening letters or notices, a crime of a most serious character, but one which should be distinguished from cases of actual violence. It would probably be said that these threatening letters were to a great extent fabricated, and he had seen it gravely asserted in a newspaper as a matter of absolute notoriety that a manufactory of threatening letters was maintained by the Government in the county of Westmeath for the purpose of procuring the renewal of these Acts. But statistics extending over a long series of years showed a pretty steady proportion of threatening letters and notices to actual outrages committed. The ordinary proportion was about half, but in times when crime was rife the proportion fell somewhat below one-half; whereas in times like the present, when the number of agrarian outrages was less than usual, the proportion of threatening letters and notices was more than one-half. The maintenance of this proportion showed that the sending of these letters and notices was a symptom not to be disregarded. The Government, then, had to consider whether they would renew the Acts or trust to the ordinary operation of the law. In arriving at the conclusion that they ought to propose the continuance of the Acts they had consulted the local authorities. The grand juries of the counties of Meath, Westmeath, Mayo, and Cavan had passed resolutions strongly recommending the continuance of the Acts for a limited period; and some of the Judges at the Spring Assizes had expressed opinions favourable to the operation of this legislation, and to its continuance for some time longer. The first part of the Peace Preservation Act renewed powers which had been in operation more or less ever since 1847. The principal provision of it was one which empowered the Lord Lieutenant to proclaim certain districts, and prohibit any one in those districts from possessing arms without a licence from the proper authorities. It also empowered the constabulary within proclaimed districts to search for arms; and it enabled the Lord Lieutenant to send to a proclaimed district an additional force of constabulary, charging the cost of that force upon the district. With the exception of the whole county of Tyrone, and parts of the counties of Down and Derry, he was sorry to say that all Ireland was proclaimed under the Peace Preservation Act. As far as agrarian crime was concerned, many parts of Ireland might be relieved from the operation of the Act. But, although in this respect there was a great improvement, the Government had reason to believe that the Fenian conspiracy was not altogether dead, though he believed it was never at a lower ebb than at the present moment. Directions had been given to the magistrates to exercise their powers under the Peace Preservation Act with discretion, and only to refuse licences in respect of rifles and revolvers. It was desirable that the power to refuse licences for fire-arms of this description should be retained, in order to prevent unfortunate consequences resulting from armed men taking part in processions or other party demonstrations in the proclaimed districts, although no agrarian crime might have been committed in them for some time. Much good had also resulted from the Lord Lieutenant having the power of closing public-houses between sunset and sunrise in these districts, and from the summary powers given to the magistrates in certain cases. The constabulary were authorized in proclaimed districts to arrest persons, especially strangers, out between sunset and sunrise who were unable to give a satisfactory account of themselves, and to take them before a magistrate, who was empowered to order them to be imprisoned for a certain time. The Protection of Life and Property Act, which applied especially to the Westmeath district, had also had an excellent effect. How far that Act had been put into operation might be estimated from the fact that since it came into force two years ago 18 persons had been arrested under it, of whom nine had been discharged on certain conditions, the remaining nine only being in confinement. There had been almost unanimous testimony given by the local authorities to the effect that the incarceration of those nine persons had rendered the district peaceable. From the Reports of the local authorities, which were of a confidential nature, and therefore could not be laid upon the Table, it appeared that, although the organization of Ribbonism still existed, it had been utterly and entirely crippled by the operation of the two Acts. At the same time it was pointed out that the measures had not yet been in force for a sufficient time to permanently put an end to the former state of things. The Government had reason to fear that if the pressure under which crime had been kept down in the proclaimed districts were removed, there would be a renewal of crime there. The provisions of the Act respecting newspapers had not been much exercised; but nevertheless their existence had not been altogether without a salutary influence. Although what was called the National Press of Ireland still advocated disunion between the English and Irish people, the instances in which open sedition was preached had been exceedingly rare, and in only two cases had warnings been found necessary. He did not intend to make any alteration in the Act in any respect with regard to newspapers. He did not think the House would be disposed at present to amend Acts of exceptional coercion applied to Ireland, but rather to hope that the time would soon come when this policy of coercion would be entirely abandoned. He should ask the House to renew the Act for two years, which would be certain to carry it over the next General Election, and give the new Parliament an opportunity of expressing its opinion upon the necessity of its re-enactment. His sincere wish was that the necessity for a further renewal would have then disappeared.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Marquess of Hartington.*)

MR. SERJEANT SHERLOCK, in moving that the Bill be read a second time this day six months, contrasted the evidence of crime and outrage adduced in 1870 and 1871, before the passing of this measure, with the evidence, or rather lack of evidence, which was adduced now, and contended that the Government were as much bound to justify the renewal of the measure as the original introduction of it. He would remind the House that in 1871 the Government even asked for a Committee to take evidence; that the demand for a Committee was resisted upon the ground that the Government had all the information they desired, and ought at once to proceed to legislate; and that the reply of the Government was that the House ought not to legislate rashly or in a panic. He assumed that the statistics of recent crime now given told the whole story, because if the Government knowingly allowed persons to be at liberty to the danger of life and property they did not discharge their duty, and on that assumption he contended that there was no more crime than could be dealt with by the ordinary administration of the law and without interfering with the liberty of the subject, if only the police, the magistrates, and the country gentlemen exerted themselves. The present Bill was brought forward on the ground that the existing Act would expire on the 1st of June, and unless it was renewed the persons now in prison would be entitled to their discharge. He contended that in a constitutional point of view these men ought not to be imprisoned beyond the period fixed by the Act, and claimed their discharge at the expiration of the term sanctioned by the law. Sufficient ground had not been shown for the detention of these men, and he thought the Government would act wisely in not insisting upon their further detention. The new Act should be left to be applied to its own proper objects.

Mr. P. J. SMYTH seconded the Amendment. One of the chief arguments originally used to induce the House to assent to the Westmeath Act was that it was designed to meet an exceptional state of things, and that its operation would be limited to two years. The late Attorney General for Ireland (Baron Dowse) said in February, 1872, that it would expire in 1873. That statement admitted of but one construction—namely, that the Act would be allowed to die of itself in June, 1873. The intention of the Government at the time was further made manifest by the Act passed at the close of the last Session, entitled the Expiring Laws Continuance Act. The Schedules of the Act included the Peace Preservation; but not the Protection of Life and Property Act, otherwise the Westmeath Act. The omission could only be explained on one hypothesis—namely, that it was then the intention of the Government to allow the Act to expire of itself in June, 1873. In fact, nothing could justify the renewal of the Act except an increase of crime in the country, and the noble Lord (the Marquess of Hartington) had not shown an increase of crime. He (Mr. Smyth) affirmed that life and property were as secure now in Westmeath as in any part of Her Majesty's dominions. Two days ago, in the City of Limerick, the Lord Lieutenant said, "The state of the country is very satisfactory. Ordinary crime is very low, and agrarian crime has disappeared." Such was the state of circumstances under which it was proposed to renew the most severe coercive Act which was ever passed. He missed from the Returns of the persons arrested under the Westmeath Act several names which appeared in earlier Returns. What had become of those persons? They had not died in prison; they were not at large in Westmeath or any other part of Ireland. The truth was, their prison doors had been opened on condition that they would go to America. What was now the situation? In order to prevent the return of those men, a population of some 150,000 peaceable and industrious people were outlawed, and a hideous wound inflicted on the Constitution, and for the sake of that Constitution itself, and for the sake of liberty, he asked the Government to pause in the course they were pursuing.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Sherlock.*)

Mr. MITCHELL HENRY said, the House of Commons had seldom presented a more discreditable spectacle than the one that had been witnessed that evening. The House had been occupied exclusively with the discussion of two Irish subjects. One of them concerned the administration of the education of the people, but it was tinged with a complexion of religious intolerance, and that discussion brought into the House Members from all parts of the kingdom. The House was treated to a scene of tumult such as seldom attended even debates upon the most exciting subjects. After that came on a Bill promoted by the Government, which was to deprive of the benefits of the constitution one-third portion of the United Kingdom; and the House heard from the noble Lord the Chief Secretary the reasons why, in his opinion, these disgraceful acts of coercion should be renewed. He called them disgraceful, because it was humiliating and degrading to the national reputation of the United Kingdom that at this time of day the constitution should be suspended over a great part of the Empire. Nearly all the time his hon. and learned Friend (Mr. Serjeant Sherlock) was moving his Amendment, and stating the case of the Irish people, the Treasury bench was entirely empty; but when he was drawing to the close of his statement one Member of the Government crept into his place and recognized with a smile the ironical cheers with which he was received. There were at that moment absent from the House not only most of the English and Scotch Members, but he blushed to say the greater part of the Members who represented Irish constituencies also. He maintained that it was a scandal that the debate should have to be conducted under such circumstances, and he could only conclude that the fact of attending debates upon Irish subjects so demoralized hon. Members that they had hardly the courage to lift their voices against the legislation which was proposed. He himself felt it hard to struggle against the coldness, and even the disorder, which at times prevailed when Irish Members rose to speak; but as long as he had a seat in that House he would not lose the opportunity of protesting against the mode in which Irish legislation was carried on, and he would especially protest against the manner in which this debate had been conducted. With regard to the Acts which it was proposed to renew, the Peace Preservation Act was directed against the Fenian conspiracy, which became active at the close of the American war. He asked anyone residing in Ireland whether he believed there was any conspiracy in Ireland now which could give the slightest trouble to the Executive Government? The Westmeath Act, on the other hand, was directed against Ribbonism, which was neither more nor less than trades unionism; and at the time it was passed trade union outrages of great atrocity existed in Sheffield and in other English towns, but no such legislation was proposed as regarded them. But it was useless to ask the House to consider this question upon its merits; for experience had shown that the House of Commons was only too ready to grant these exceptional powers when Ireland was to be the victim. He trusted that some day, upon one side of the House or the other, a statesman would arise who would ask himself seriously—"Cannot I conjure up a public opinion in Ireland?" for it was only by the existence of public opinion that the laws could be rendered effective in any civilized country. The present system of government by the permanent officials of the Castle stifled public opinion and inspired the people with distrust, and as long as it was maintained permanent improvement was hopeless; for neither the responsible classes nor the great mass of the people had any voice in the public service. It should not be surprising that authority was not respected in Ireland when the stipendiary authorities were appointed without any security being taken that they had any knowledge of law. He did not believe that such a system existed or would be tolerated in any other civilized community, whether despotic or democratic, as that which made stipendiary magistrates in Ireland. They were, with some exceptions, either retired officers of the Army or of the Navy, or officers promoted from the constabulary; but there was not one of them that was required to pass any legal examination, or to show that he knew anything of the laws and constitution of the country. They looked for guidance to the authorities in Dublin, and between them a fire of circulars and instructions was perpetually kept up on the true system of centralizing everything at the Castle. Some merriment was caused in the House the other day, during the discussion on the subject of Irish railways, by the statement that there were some 400 railway directors in Ireland, when it was thought 40 would be enough. But why were there these 400 directors? It was because there existed no opportunity in Ireland of gratifying that passion for public service which was a condition of civilization. He believed that if there was in Ireland an opportunity for landed proprietors, and the higher classes of tradesmen, and professional men to take some part in the legislation necessary for their country, a development of public opinion would be the result. If Parliament would seriously set about creating a public opinion in that way by enlisting those classes in the service of the State, instead of concentrating all the Government of the country in the Castle at Dublin, where it was administered by a few paid officials, he believed that very soon we should hear no more of these coercion Acts.

COLONEL WILSON-PATTEN took exception to that portion of the hon. Member's speech in which he sought to make it appear as if the House made a distinction between the treatment of Irish affairs and the affairs of the other portions of the Empire. As to the thinness of the attendance, that occurred chiefly at the dinner hour, and it must be borne in mind that there were 105 Irish Representatives, so that if there was not a sufficiency of Members present, the fault ought not to be attributed exclusively to the English and Scottish Members. They had been engaged in the discussion of Irish affairs all the evening, and he could state of his own knowledge that the noble Marquess (the Marquess of Hartington) had been employed upon Irish affairs from 12 o'clock that day to the present hour. He objected to the imputation that the affairs of Ireland were of no concern to English Representatives, and deprecated any such comparison. The hon. Member must not suppose that because he intended voting against him that he was, therefore, reckless of what Ireland was subjected to. With regard to the Bill, he had heard with great pleasure the statement of the noble Lord (the Marquess of Hartington) as to the improved state of Ireland. Ireland was progressing in prosperity and in everything which could conduce to the happiness of the country, and he hoped and believed that in a very short time there would be no difference in the legislation for that as compared with other parts of the United Kingdom; but at present there unfortunately existed circumstances which led many of the best friends of Ireland to believe that they were doing a kindness to that country by continuing this exceptional legislation for a further period. It had been shown to be necessary; it had not hitherto been abused, and the Government might be trusted with its continuance for a short time longer. He should give his vote for the second reading of the Bill.

The O'DONOGHUE said, it was also his intention to support the second reading of the Bill, though by so doing he might expose himself to misrepresentation. No one was more dependent than he was upon popular sympathy; but he was giving no just ground for the charge that he was supporting an encroachment upon the liberties of his countrymen. It was true that the Bill conferred extraordinary powers on the Government, but similar powers were at present in operation by the President of the United States of America. Laws of this nature would from time to time be necessary; but a Government elected by the people could hardly abuse their powers. He believed that there never was in Ireland an Executive to whom the power now sought might be more safely intrusted, and that a resort to oppressive measures was the last thing they desired. The Government possessed sources of information which individuals could not command, and circumstances might arise in the future with which the ordinary law could not grapple. As to the past, he denied that the Bill had abridged the liberties of the Irish people or the freedom of the Irish Press. Socially and politically, the people of Ireland were incomparably freer than at any former period of their history, and this was entirely owing to the reforms carried by Her Majesty's Government. Under the Land Bill the agricultural population had acquired what practically amounted to a partnership in the soil, and according to the hon. Member (Sir John Gray) they were starting upon that partnership with a capital of £70,000,000 or £80,000,000. The well-known industry of the Irish agriculturists would add every day to the amount of that capital, so that the cost of evicting them would become ruinous. Thus the confidence which the Land Bill gave to Ireland was like a new principle of existence; while her political liberties were secured by the Ballot and a fair system of trial by jury. He asserted that the great body of the Irish people would never have known of the passing of the Bill except for a constant clatter kept up by a few newspapers in Dublin. Had any individuals except a little knot of newspaper men complained of it? And did it really abridge the freedom of the Irish Press? In Dublin there were *The Freeman*, *The Daily Press*, *The Irish Times*, and *The Mail*. But could not they discuss every question as freely as they ever could? And with regard to the papers of Cork and Belfast, and in fact the whole provincial press, could they not act in the same way? They could. The Bill merely affected a class of publications which fortunately were very rare, and were not allowed to appear in any country, not even in America, except under necessary and wholesome restrictions. To describe a Press which pandered to vice as natural and patriotic was an abuse of language. He had no doubt that the Government would in the future, as they had in the past, administer this Bill with discretion, and that the result of it would be conducive to the tranquillity and general welfare of Ireland. For these reasons he should vote for the second reading.

Mr. MUNSTER said, he would not attempt to describe the feelings of indignation with which he had heard the speech of the hon. Member for Tralee (The O'Donoghue); and he would appeal to the Irish Members around him to say whether it was true that there had been no complaints of this legislation except from a "little knot of newspaper men." The hon. Gentleman, however, would no doubt meet with his reward to-morrow from those journals which upheld oppressive measures towards Ireland. Only the gravest necessity could justify a Bill which the noble Marquess (the Marquess of Hartington) had himself described as "unconstitutional," yet the noble Lord had supported it with only a few statistics and had deprecated discussion. If the Legislature did not take advantage of the moment when there was an absence of crime to allow such an Act to lapse, when could it ever be got rid of? No evidence had been adduced to justify the statement in the Preamble that a society or confederation of a secret nature now existed in Westmeath. In the hope that such a measure would never be revived again, or that, if it were ever proposed to renew a Bill which struck at the fundamental principles on which the Constitution was based, it would not be discussed before empty benches, he should support the Amendment for the rejection of the Bill.

MR. BUTT said, he believed that if he could succeed in realizing to the minds of Englishmen the real oppression that existed in Ireland, the proposal for renewing these Acts would be received in a very different manner. In 1848 the Ministry of Lord Russell proposed an Act which was called the Crime and Outrage Act, under which the Lord Lieutenant for Ireland was enabled to proclaim any county and institute a search for arms, but with this reservation—that the warrant was to be enforced for only 21 days, and must be executed between 6 o'clock in the morning and 6 in the evening. At that time there was a fearful amount of crime in Ireland. In fact, nothing had existed recently to be compared with it. In 1856 an Act was passed mitigating the penalties under the former measure; but in 1870 the Government introduced a far more stringent Act. Out of the 32 counties of Ireland only one—the county of Tyrone—was exempt from the operation of this Act. Twenty-six whole counties were subject to it, and in five it was partially enforced, so that they had the constitution suspended in nearly the whole of Ireland. The districts under the Act were subject to a domiciliary visit from a policeman at every hour of the night; and the police did thus enter houses on pretence that they were seeking for arms when they were acting for very different purposes. He admitted the mildness with which Earl Spencer administered what he had truly called the terrible powers of this Act; but the Lord Lieutenant might proclaim a district, and the effect of a special proclamation was that any man who was found out of his house after dark might be taken up and, unless he satisfied the magistrate that he was out on some lawful occasion, he might be sent to prison for as many days as the magistrate thought proper. There were now seven counties in Ireland in which this Curfew Law prevailed, and he would ask whether a country could be called free that was subject to such a law? Repeated complaints were made of the conduct of the police; but when the persons complaining were asked to come forward, they were afraid of becoming marked men. If Englishmen were told that such a law existed in Poland, Naples, or Russia, their indignation would be aroused, and, perhaps, despatches would be sent from the Foreign Office pointing out that such legislation was endangering the peace of Europe. The Government which demanded the surrender of their liberties in order to maintain order had utterly failed. He believed that if they had thrown themselves on the good feeling of all classes of Ireland, crime would have been more effectually put down than by these unconstitutional Acts. He asked the House whether the time had not come for this mode of government to terminate, instead of being continued at a date when the Lord Lieutenant of Ireland had stated that agrarian and political crime were extinct in the country, and that the number of ordinary offences committed had considerably decreased. Or were they to continue it, and upon what authority? Not upon the authority of the noble Marquess who had not a real voice in this matter. Was it to be upon the authority of the stipendiary magistrates? Had the noble Marquess ever read Mr. Senior's description of the gentlemen who filled the office of stipendiary magistrates in Ireland? Had he ever read Archbishop Whateley's description of the way in which they were appointed? He (Mr. Butt) strongly deprecated legislation such as was now proposed being undertaken on the strength of Reports made by these gentlemen. In 1868 the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) stated at a banquet that his Government had tranquillized Ireland; but this statement was promptly denied by the right hon. Gentleman now at the head of Her

Majesty's Government, who said that the right hon. Gentleman (Mr. Disraeli) had had the hardihood or the infatuation to congratulate the persons seated at a festive board on the state of Ireland, a statement which reminded him of the conduct of a military despot who, having trampled all liberty under foot with his armed forces, declared that order at last existed. But the right hon. Gentleman seemed to have forgotten that the right hon. Gentleman the Member for Buckinghamshire had not at that time a Coercion Bill at his back, and perhaps he would now say whether at the time of speaking he was factious, or whether he was a tyrant now, when his Government was using the language he himself deprecated six years ago. He would not go the length of saying that peace might not be purchased too dearly; but a Government which could not give to a country order and security for life and property without taking away the liberty of the people had proved and confessed itself unfit to govern freemen. The Act in its worst form was administered in the town of Belfast. Was the Government so incompetent that it could not suppress a street riot without subjecting every house to a domiciliary visit at any hour of the night, and without having a Curfew Law, whereby a man could not be out except on a lawful occasion? He repeated his question—Was this state of things to continue? Seven of the counties were out of the pale of civilized law—it was not civilized law where a Curfew Act existed; it was not civilized law where a stranger might be arrested and carried off to prison at the pleasure of a magistrate. In 1871 no fewer than 221 warrants had been granted by the Lord Lieutenant to search for arms, to break into houses at any hour of the night in large districts of Ireland, while there was no control over the men so authorized except their own discretion. Did this not account for the emigration which was going on? He believed the people were fleeing from Ireland because tyrannic Acts like these made them feel that it was not a place in which they could live. All this was a source of weakness and scandal to the British Empire, and, if not arrested, the time would come when England would bitterly regret it.

Sir PATRICK O'BRIEN said, he represented a county (King's County) to which no crime was imputed except being a border county to Westmeath. That was held sufficient for placing it in the unhappy circumstances which his hon. and learned Friend had just described. He regretted that no statement had been made to indicate the existence of a belief in the minds of the Government that the present measure would be of temporary duration. He could not believe that it was necessary for the peace of Ireland. When the Government asked for powers which no Englishman or Scotchman would permit to be applied to their own countries, he was entitled to ask whether there were any exceptional circumstances in the case of Ireland which justified the application of such powers to her. It had been said that the magistracy had been consulted in reference to the state of crime in Ireland; but he submitted that, as the revision of the magistracy which was promised some three or four years ago had never been carried out, the Government had no right to appeal to the opinions of the magistrates on the subject. Upon what evidence was a measure based which would place Ireland once more in chains? Not upon any that was at all sufficient or reliable. He believed that the Lord Lieutenant, the Lord Chancellor of Ireland, or the Postmaster General, would not state that any reason existed for the continuance of coercive legislation for Ireland. In many cases gross injustice had been committed in the name of the law, and it was the duty of the Irish Members, as guardians of public liberty in Ireland, to oppose by their votes a measure of restraint and coercion being applied at a time of unexampled tranquillity in Ireland. He should vote for the Amendment of his hon. Colleague (Mr. Serjeant Sherlock).

Mr. RONAYNE protested against the Bill. In 1870 the Judge of Assize at Cork declared both that city and county to be unexampled for the absence of crime. At the last assizes the Judges made a similar statement; and the Chairmen of Quarter Sessions all through the county had got white gloves. He protested against their liberty being taken away upon half a sheet of paper by hon. Members, half of whom voted knowing nothing of the enactments in the Bill. The hon. Member for Tralee (The O'Donoghue) had stated that no individual in Ireland complained of the

Bill. The constituents of the hon. Gentleman were of a different opinion, and he thought he might safely leave the hon. Gentleman in their hands. The people of Cork and its neighbourhood were oppressed by the powers which the Bill placed in the hands of the police. The people there had no games on account of the police; they had ceased to sing and had become sullen; they were not allowed to play in the roads; and they were taken up for having a song in their pockets. In the town from which the hon. Member for Tralee (The O'Donoghue) came, only 12 months ago, he knew of a poor fellow who was arrested for singing "The green hills of Erin," and the magistrates, in sending him to prison, said that "he'd soon see whether he could not put a stop to his —— seditious singing." He had known the police take up a man for selling a picture of Father Matthew. Another man was searched by two bodies of police; one body found nothing upon him that they objected to, but the other body found upon him a simple pastoral ballad called "St. John's Eve," for possessing which they sent him to bridewell, and kept him there all night. He had himself seen policemen arrest two boys at night who were guiltless of crime, and when—on their being at his remonstrance released—he said he would report the case, the people begged of him not to do so, stating that if he did they would suffer persecution from the police in consequence. How was the Arms Act exercised in Cork? He knew a gentleman who was actually refused a licence to carry arms because, according to the authorities, "of the hat he had on." In Mr. Nassau Senior's *Conversations*, the stipendiary magistrates of some parts of Ireland were described as men appointed from political motives, capable of using the police for their own purposes, devoid of talents or character, and some of them habitual drunkards. In the county of Cork there were 490,000 Catholics to 50,000 Protestants, yet there was a vast preponderance of Protestants holding all kinds of public offices. Even of the governors of the lunatic asylum, there were 25 Protestants to two Catholics, and the Militia, though the rank and file were Catholics, had no Catholic officers. The difference of religion in Ireland marked a broader distinction of politics and feeling than any patriot could wish to exist, and when the people saw this ascendancy of the minority pervading the administration of justice they entertained no confidence in that administration, and did not assist the officers in the manner they ought to do. He knew the feeling of the people better than the noble Marquess, whose information was drawn from the detectives, and he knew that men innocent of Fenianism or any other offence were being driven from the country by police persecution. A man in his own employment was arrested and detained three weeks, while everything was done to obtain information against him, but without effect, for he had never been concerned in anything wrong, and he was at last liberated, but he lost his situation and became insane through the persecution he was subjected to. Stipendiaries credited every charge advanced by the police. He himself had been a sufferer from the Act. Having been in the habit of shooting game, he paid £3 to the customs for a licence, and went out shooting several times, but afterwards found that he had rendered himself liable to a two years' imprisonment for each occasion. Who ever imagined that any man would take out a licence for shooting his landlord? The man who wanted to shoot his landlord would conceal from everybody the fact that he had a gun. The present Government, in their extreme liberality, had taken from them the power of killing game unless they went hat in hand for it to a policeman. He begged the House not to pass the Bill.

THE MARQUESS OF HARTINGTON replied, denying that he received all his information about Ireland from detectives, much of it being derived from the speeches of Irish Members in that House. Neither did he see that the distribution of honours and emoluments in the county of Cork between Catholics and Protestants was very pertinent to the present question; although, if it was introduced into the discussion at all, the distribution of Irish judicial appointments ought in fairness to have been referred to. It was impossible that the system of police terrorism alleged by the hon. and learned Member for Limerick (Mr. Butt) to exist in Ireland could be carried to such a pitch of perfection among a people so ready to tell their grievances, and with a Press so active in proclaiming them, that not a single word of it should have been heard of. The principle on which the Lord Lieutenant acted was to arrest those whom he supposed to be the leaders of the Fenian organization, and whose arrest would cripple and paralyze its action. He felt assured that nothing which had been stated by the several hon. Gentlemen who had spoken, would induce the House to refuse the Bill a second reading.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 223; Noes 38: Majority 185.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

JURIES BILL—[Bill 35.]

(*Mr. Attorney General, Mr. Solicitor General.*)

COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Qualification of common jurors in counties),

Mr. MONK moved an Amendment to reduce the freehold qualification from £15 to £12.

Amendment proposed, in page 1, line 11, to leave out the word "fifteen," and insert the word "twelve,"—(*Mr. Monk,*) —instead thereof.

The ATTORNEY GENERAL said, this subject had been fully considered in the Select Committee, who recommended the qualification introduced in the Bill.

Mr. GATHORNE HARDY said, the Committee were by no means unanimous in their recommendation, and he did not see any reason why as good jurors should not be had with a qualification of £10 or £12 as with one of £15. He should, therefore, support the Amendment.

Question put, "That the word 'fifteen' stand part of the Clause."

The Committee *divided:*—Ayes 160; Noes 107: Majority 53.

Mr. MUNTZ moved to reduce the qualification of jurymen from a rating of £40 to one of £30, believing that if it were fixed at the higher sum there would be great difficulty in finding suitable persons.

The Marquess of Hartington

Amendment proposed, in page 1, line 24, to leave out the word "forty," and insert the word "thirty,"—(*Mr. Muntz,*) —instead thereof.

Mr. JAMES objected to the Amendment as being opposed to the recommendation of the Committee. The experience of Ireland was against their placing the qualification too low.

Mr. STRAIGHT pointed out that the £40 qualification only related to towns of 20,000 inhabitants and upwards.

Mr. DODSON objected to the long list of exemptions, beginning with Peers, and ending with criminals and persons of notoriously bad character. He supported the Amendment.

Mr. J. LOWTHER said, he hoped that the hon. Member for Birmingham would at least postpone his Amendment.

Mr. MUNTZ was sure, from his experience at Quarter Sessions, that the majority of jurymen were not rated at anything like £40.

Mr. WHITWELL said, he thought the clause would exclude from the jury-box many persons of intelligence in large towns who had retired on a competency.

The ATTORNEY GENERAL defended the clause on the ground that it was based on the recommendations of the Select Committee. The exemptions proposed to be continued by the Bill were far less numerous than those which were now allowed.

Mr. SCOURFIELD said, the recommendations of the Select Committee could not create jurymen where they did not exist.

Mr. FLOYER was of opinion that after the decision of the Committee not to alter the freehold qualification, the present clause ought not to be interfered with.

Question put, "That the word 'forty' stand part of the Clause."

The Committee *divided:*—Ayes 138; Noes 133: Majority 5.

Mr. A. W. YOUNG proposed, in page 1, line 30, to substitute 20 for 25. The Government, by adhering to these higher figures, were excluding a very large class of men from serving as jurors.

Amendment *agreed to.*

Clause *agreed to.*

Clauses 2 to 4, inclusive, *agreed to.*

Committee report Progress; to sit again upon *Thursday* next.

House adjourned at One o'clock.

[INDEX.

PROTESTS.

SUPREME COURT OF JUDICATURE BILL.

HOUSE OF LORDS, MAY 5, 1873.

Bill read the Third Time.

"*DISSENTIENT:*

"1. Because this Bill seeks to deprive the Lords Spiritual and Temporal of a right which has never been abused, and substitutes a Tribunal, on account of its knowledge of the technicalities of Law and Equity, at the same time that it abolishes every regular form of pleading, and introduces the necessity for printed forms at Common Law, instead of upholding the regulations of the Common Law Procedure Act, 1852, and multiplies printed statements in Equity Cases, unless a Defendant at once submits to a claim made against him.

"2. Because it substitutes a Committee of Judges to form rules as to term, vacation, and circuit, subject to doubt and delay and opposition after being laid before Parliament, instead of framing rules and divisions of times and of circuits which can at once be understood by counsel and suitors, and all Her Majesty's subjects.

"3. Because Her Majesty's ancient Courts of Chancery, Queen's Bench, of Common Pleas, and Exchequer, do not require a new legislative enactment to enable them to retain their distinctive names; nor is it desirable to re-appoint any salaries or retiring pensions, which are already settled by Law; nor to send blanks to be filled up in another place with salaries for newly created Judges, especially as on June 13th 1839 the Borough Courts Uniformity Bill having been sent to another place with blanks (as to dates) and returned with blanks, was consequently no Bill at all.

"4. Because the extremely unfair reports in the newspapers of what was really said by at least one Member of Your Lordships House has given the public a false impression of the debates, and possibly may have prevented a fair consideration of some of the arguments adduced.

"5. Because the retirement of The Right Honourable and revered Lord Saint Leonards has alone prevented his Lordship from opposing the attempted degradation of this Honourable House as a Court of Appeal for England and Wales.

[☞ *To follow page* 2072.

"6. Because when the Equity side of the Exchequer was abolished it was deemed "a waste of power" by the last Lord Chief Justice of England but one, and such power might gradually be extended instead of being conferred indiscriminately.

"7. Because, although by the Bill, in the event of Chancery being in Commission, the Senior Lord would be Speaker of the House of Lords, yet no provision is made for constituting a complete Court of Appeal, by appointing at least two other Noble Lords Commissioners and Deputy Speakers, with such a Committee of Spiritual and Lay Peers as might be formed on the model of 14 Ed. 3 st. 1. c. 5.,* which was enabled to sit whenever Parliament was assembled, also in vacation, and in such case to report to the House at the next Parliament.

"DENMAN."

Then it was moved by The Lord Redesdale in page 9. line 26. after ("Council") to insert ("except when the Court of Appeal shall be of opinion that any Appeal ought to be re-heard, in which case the Court shall order such Appeal to be referred to the House of Lords.")

Which being objected to; The Question was put thereupon? It was resolved in the Negative.

"*DISSENTIENT:*

"1. Because when the decision of a Court is appealed from, it is better that the Cause should be referred to another Tribunal than re-heard in the same Court.

"2. Because by rejecting this amendment the House abandons its ancient prerogative of being the Supreme Court of Appeal in England.

"3. Because this House cannot be deprived of the right to exercise such an important and useful function without ultimate loss of character and authority.

"4. Because the efficient manner in which the House has discharged this duty is admitted in the Bill, which, while it removes England from its jurisdiction, retains it for Scotland and Ireland, as eminently satisfactory to those countries, and preferred by them to the new Court of Appeal proposed to be established for England.

"REDESDALE."

"For 3rd and 4th Reasons.

"DENMAN."

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* Hansard's Debates, Vol. 34, Third Series, pp. 426-7, June 13, 1836 (Ld. Cottenham).

INDEX

TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCXV.

SECOND VOLUME OF SESSION 1873.

EXPLANATION OF THE ABBREVIATIONS.

In Bills, Read 1^{o}, 2^{o}, 3^{o}, or 1^{a}, 2^{a}, 3^{a}, Read the First, Second, or Third Time.—In Speeches 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

Some subjects of debate have been classified under the following "General Headings:"—ARMY — NAVY — INDIA — IRELAND — SCOTLAND — PARLIAMENT — POOR LAW—POST OFFICE—METROPOLIS — CHURCH OF ENGLAND — EDUCATION — CRIMINAL LAW — LAW AND JUSTICE — TAXATION, under WAYS AND MEANS.

ADDERLEY, Right Hon. Sir C. B., *Staffordshire, N.*
- Africa — West Coast Settlements — Ashantee Invasion, 1560, 1719
- Metropolis Buildings Act Amendment, 2R. 503
- Public Health, 2R. 1664
- Railway and Canal Traffic, 3R. 1107
- Supply—Governors, &c., of Colonies, 1806

Admiralty and War Offices Rebuilding Bill (*Mr. Ayrton, Mr. Shaw Lefevre, Mr. Campbell-Bannerman*)
- *c.* Bill withdrawn * *Mar* 24 [Bill 40]

ADVOCATE, The Lord (Right Hon. G. YOUNG), *Wigton, &c.*
- Conveyancing (Scotland), 2R. 964; Comm. 1696; *cl.* 2, 1842; *cl.* 3, *ib.*
- Entailed and Settled Estates (Scotland), 2R. 1542
- Rates for Church Repairs, &c. (Scotland), 645
- Supply — Board of Supervision (Scotland), 1456

Africa
- *Lagos*, Question, Sir Thomas Bazley; Answer, Mr. Knatchbull-Hugessen *April* 25, 971
- *The Fanti Confederation*, Question, Mr. Salt; Answer, Viscount Enfield *May* 5, 1483
- *West Coast Settlements — The Ashantee Invasion*, Questions, Sir John Hay; Answer, Mr. Knatchbull-Hugessen *April* 25, 970; Questions, Observations, The Earl of Lauderdale; The Earl of Carnarvon; Reply, The Earl of Kimberley *May* 1, 1392; Question, Sir Charles Adderley; Answer, Mr. Knatchbull-Hugessen *May* 6, 1560; Questions, Mr. M'Arthur, Sir Charles Adderley; Answers, Mr. Knatchbull-Hugessen *May* 9, 1719

AGAR-ELLIS, Hon. L. G. F., *Kilkenny Co.*
- Board of Education (Ireland)—O'Keeffe, Rev. Mr., Motion for a Committee, 2051
- Irish Church Act—National Monuments, 1489
- Parliament—Breach of Privilege—"Pall Mall Gazette," Res. 537
- University Tests (Dublin) (No. 3), 2R. 751

Agnew, Assassination of Captain Charles
- Question, Major Gavin; Answer, Viscount Enfield *May* 8, 1683

Agnew, Mr. R. Vans, *Wigton Co.*
Board of Trade—Portpatrick Harbour, 8

Agricultural Children Bill (*Mr. Clare Read, Mr. Pell, Mr. Akroyd, Mr. Kay-Shuttleworth, Mr. Kennaway*)
c. Committee ; Report *May* 2, 1458 [Bill 8]
Considered * *May* 5
Moved, "That the Bill be now read 3^{o}" *May* 8, 1708
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Mundella*) ; Question proposed, "That 'now,' &c. ;" after short debate, Amendt. withdrawn ; main Question put, and agreed to ; Bill read 3^{o}
l. Read 1^{a}* (*Lord Henniker*) *May* 9 (No. 102)

Akroyd, Mr. E., *Halifax*
Elementary Education Act — School Board Elections, 635

Alderney (*Harbour and Fortifications*)—*Report of the Select Committee*
Observations, The Duke of Somerset ; Reply, Viscount Halifax *Mar* 31, 331

Amcotts, Colonel W. C., *Lincolnshire, Mid.*
Ways and Means—Report, 1349

Ancient Monuments Bill—*Afterwards* **Ancient Monuments Preservation Bill**
(*Sir John Lubbock, Mr. Beresford Hope, Mr. Bouverie, Mr. Osborne Morgan, Mr. Plunket*)
c. Bill read 2°, after short debate *May* 6, 1607 [Bill 5]

Anderson, Mr. G., *Glasgow*
Army—Cavalry Officer, Charge against, 1786
  10th Hussars, 400
Currency—Bank Act, Res. 111, 156, 157
Parliament—Electoral Power, Distribution of, Res. 1570
Post Office—Glasgow Post Office, 903
Supply—Houses of Parliament, Amendt. 782, 785
  Public Departments, 779

Annesley, Lieut.-Colonel Hon. H., *Cavan*
Juries (Ireland) Act, Motion for a Committee, 328

Anstruther, Sir R., *Fifeshire*
Permissive Prohibitory Liquor, 2R. 1648
Supply—Queen's and Lord Treasurer's Remembrancer, 1455

Arbuthnot, Major G., *Hereford City*
Army—Questions, &c.
  Autumn Manœuvres, 388
  Fine Fund, 1752
  Medical Department, 1299
  Reliefs—North America and West Indies, 13
Canada, Dominion of—Transfer of Arms, &c., 1678

Archdall, Captain M. E., *Fermanagh Co.*
Army—Sandhurst, Insubordination at, 902

Argyll, Duke of (Secretary of State for India)
East India Stock Dividend Redemption, 2R. 1114

Army
Army Fine Fund, Observations, Mr. Sclater-Booth ; Reply, Mr. Cardwell ; short debate thereon *May* 9, 1750

Army (India)
Majors of Artillery, Question, Sir David Wedderburn ; Answer, Mr. Grant Duff *May* 2, 1404
Medical Officers—The Medical Warrant, Question, Sir Thomas Bazley ; Answer, Mr. Grant Duff *April* 1, 399
Supply of Breech-Loaders, Question, Lord Eustace Cecil ; Answer, Mr. Grant Duff *Mar* 24, 12
Troop Horses, Question, Sir Charles Wingfield ; Answer, Mr. Grant Duff *April* 4, 603

Artillery — Foreign Breech-Loading Guns, Question, Observations, The Earl of Lauderdale ; Reply, The Marquess of Lansdowne *April* 25, 965
Autumn Manœuvres — Licensed Victuallers, Question, Mr. Sclater-Booth ; Answer, Sir Henry Storks *Mar* 31, 388
Chaplains to the Forces, Question, Mr. O'Reilly ; Answer, Sir Henry Storks *May* 5, 1484
Charge against a Cavalry Officer, Question, Mr. Anderson ; Answer, Sir Henry Storks *May* 12, 1786
Chelsea Hospital Pensioners, Question, Sir Lawrence Palk ; Answer, Mr. Cardwell *Mar* 27, 221
Contracts for Gunpowder—Belgian and English Pebble Powder, Question, Colonel Learmonth ; Answer, Sir Henry Storks *April* 24, 901 ; Question, Mr. Malcolm ; Answer, Sir Henry Storks *May* 8, 1680
Medical Department—The Medical Warrant, Question, Major Arbuthnot ; Answer, Mr. Cardwell *May* 1, 1299 ; Question, Mr. R. Shaw ; Answer, Sir Henry Storks *May* 15, 2021
Queen's and Indian Armies—Supersession of Colonels, Question, Colonel Barttelot ; Answer, Mr. Cardwell *May* 6, 1559
Royal Military Academy, Woolwich—Examinations, Question, Colonel Beresford ; Answer, Mr. Cardwell *May* 12, 1785—*Re-building*, Question, Mr. Bruen ; Answer, Mr. Cardwell *May* 1, 1296
Royal Military Academy, Sandhurst—Examinations, 1870—*Direct Commissions*, Questions, Colonel Stuart Knox ; Answer, Sir Henry Storks *April* 28, 1025—*Insubordination*, Questions, Mr. Trevelyan, Captain Archdall ; Answers, Mr. Cardwell *April* 24, 901
Sale of Barracks, Question, Mr. O'Reilly ; Answer, Sir Henry Storks *April* 28, 1025
Troop Ship "Serapis"—The Scotch Fusilier Guards, Question, Sir John Pakington ; Answer, Mr. Cardwell *April* 24, 902

[*cont.*

ARMY—*cont.*
Army Re-organization
The 95th Regiment, Question, Lord Eustace Cecil; Answer, Mr. Cardwell *May* 6, 1559
The 10th Hussars—Retirement of the Lieutenant Colonel, Question, Mr. Anderson; Answer, Mr. Cardwell *April* 1, 400
The 21st R. N. B. Fusiliers, Question, Captain Talbot; Answer, Mr. Cardwell *May* 9, 1713

Army—Auxiliary Forces
Adjutants, Question, Mr. Muntz; Answer, Mr. Cardwell *May* 13, 1871
Militia
Question, Mr. Wingfield Baker; Answer, Mr. Cardwell *Mar* 25, 110
Militia Adjutants (Ireland), Question, Lord Claud Hamilton; Answer, Mr. Cardwell *Mar* 24, 14
Militia Surgeons, Question, Mr. D. Dalrymple; Answer, Mr. Campbell-Bannerman *April* 29, 1137
Volunteers
Easter Monday Reviews, Observations, Questions, Lord Elcho, Mr. Charley; Reply, Mr. Cardwell *Mar* 27, 289; Questions, Mr. Charley; Answers, Mr. Cardwell *Mar* 28, 298
Reserve Forces Circular—Attendances, Question, Colonel C. H. Lindsay; Answer, Mr. Cardwell *April* 22, 800
Volunteer Officers—Vacancies, Question, Colonel C. H. Lindsay; Answer, Sir Henry Storks *May* 5, 1486
Yeomanry
Yeomanry Adjutants, Question, Captain Hood; Answer, Mr. Cardwell *April* 3, 522—*Horse Duty*, Question, Mr. Monckton; Answer, Sir Henry Storks *May* 15, 2022

Army—City of London Volunteers—The Artillery Company's Drill Ground
Moved, "That Her Majesty's Government be requested to take such steps as they may deem necessary to obtain for the City of London Volunteers the use of the Artillery Ground in Finsbury at such times as it is not required by the Honourable Artillery Company or the City of London Militia" (*Sir John Lubbock*) *April* 22, 810; after short debate, Motion withdrawn

Army—Honorary Colonelcies
Moved, "That, inasmuch as it would greatly conduce to the diminution of our Military expenditure and the improvement of our Military organisation, that our establishment of officers, in all ranks, should be founded upon the actual requirements of the public service, the House is of opinion that no further appointments should be made to the honorary Colonelcies of regiments" (*Mr. Trevelyan*) *May* 6, 1591; after debate, Question put; A. 40, N. 80; M. 40

ASSHETON, Mr. R., *Clitheroe*
Local Taxation, Motion for a Committee, 1839
Parliament—Electoral Power, Distribution of, Res. 1582
Wild Birds Protection, Motion for a Committee, 1189

ATTORNEY GENERAL, The (Sir J. D. Coleridge), *Exeter*
Criminal Law—Shropshire Magistrates—Whitefoot, George, Case of, 1766
Galway Election Petitions, Trials of, Res. 987
Infanticide Law Amendment, 2R. 1987
Ireland—Dublin University, 529
Juries, Comm. *cl.* 1, 2071, 2072
Parliament—Breach of Privilege—"Pall Mall Gazette," Res. 535
Register for Parliamentary and Municipal Electors, Comm. 292, 293; Re-comm. 715, 718, 719; *cl.* 3, 795; *cl.* 4, *ib.*; *cl.* 5, 959, 960; *cl.* 9, 962; *cl.* 10, 1692; *cl.* 13, *ib.*; *cl.* 19, 1694; *add. cl. ib.*
Seduction Laws Amendment, 2R. 479
Supply—Patent Office, 1021
Trades Unions—Amalgamated Society of Engineers, 220

Australasian Colonies (Customs Duties) Bill (*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)
c. Considered in Committee; Bill ordered; read 1°* *Mar* 27 [Bill 106]
Read 2°* *April* 3
Committee*; Report *April* 28
Considered* *May* 1
Read 3°* *May* 2
l. Read 1^{a}* (*Earl of Kimberley*) *May* 5 (No. 91)
Bill read 2^{a}, after debate *May* 15, 1998

AYRTON, Right Hon. A. S. (Chief Commissioner of Works), *Tower Hamlets*
Metropolis—Green Park, 1137
  Hampton Court Green, 9
Ordnance Survey, 1484
Palace of Westminster—Decoration of Central Hall, 648
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 268, 277
Supply—British Embassy Houses, 1006
  Houses of Parliament, 780, 781, 782, 783, 784, 785
  Metropolitan Police Courts, 791
  Natural History Museum, 790
  New Courts of Justice, &c., 792
  New Offices, Downing Street, 785
  Public Buildings, 778
  Public Departments, 779
  Royal Parks, &c., 777, 778
  Survey of the United Kingdom, 787
  Works and Buildings, 786
Valuation Department (Ireland), Res. 430

BAGWELL, Mr. J., *Clonmel*
General Valuation (Ireland), 2R. 1539
University Tests (Dublin) (No. 3), Comm. 1525

BAILEY, Sir J. R., *Herefordshire*
Police—Radnor Constabulary, 1299
Public Health Act, 1872—Royal Engineers, 1678

BAKER, Mr. R. B. Wingfield, *Essex, S.*
Army—Militia, 110

BALFOUR, General Sir G., *Kincardineshire*
Central Asia, Motion for an Address, 873
East India Loan, Comm. 1109
India—Euphrates Valley Railway, Res. 611
Taxes on Locomotion, Res. 444
Ways and Means, Comm. 953

BALL, Right Hon. J. T., *Dublin University*
Board of Education (Ireland)—O'Keeffe, Rev. Mr., Motion for a Committee, 2044
Conveyancing (Scotland), Comm. 1697
Galway Election Petitions, Trial of, Res. 985
Ireland—Irish Railways, Purchase of, Res. 1182
Juries (Ireland) Act, Motion for a Committee, 326
Municipal Franchise (Ireland), 2R. 889
Superannuation Act Amendment, Comm. *cl.* 1, 1704
University Tests (Dublin) (No. 3), 2R. 752; Comm. 1526; *cl.* 3, 1534
Valuation Department (Ireland), Res. 429

BARCLAY, Mr. J. W., *Forfarshire*
Wild Birds Protection, Motion for a Committee, 1188
Woods and Forests, Office of—Crown Teinds (Scotland), 1789

BARNETT, Mr. H., *Woodstock*
Customs—Tobacco (Unpaid Duties), 1677
Ways and Means—Financial Statement, Comm. 706

BARTTELOT, Colonel W. B., *Sussex, W.*
Agricultural Children, Comm. *cl.* 4, Amendt. 1458; *cl.* 11, Amendt. *ib.*
Army—Queen's and Indian Armies, 1559
Customs and Inland Revenue, Comm. *cl.* 1, 1686
Ireland—Irish Railways, Purchase of, Res. 1175
Local Taxation, Motion for a Committee, 1839
Parliament—Business of the House, Motion for a Committee, 242
Public Health, 2R. 1707
Rating (Liability and Value)—Valuation—Consolidated Rate, Leave, 1519
Register for Parliamentary and Municipal Electors, Comm. Motion for Adjournment, 293
Superannuation Act Amendment, Comm. 1702
Ways and Means—Financial Statement, Comm. 672, 673, 945

BASSETT, Mr. F., *Bedfordshire*
Occasional Sermons, 2R. 1980

Bastardy Laws Amendment Bill
(*The Earl of Shaftesbury*)
l. Committee; Report, after debate *Mar* 24, 1 (No. 29)
Committee * (*on re-comm.*); Report *Mar* 27 (No. 44)
[*cont.*

Bastardy Laws Amendment Bill—cont.
Read 3ª * *Mar* 28 (No. 50)
Commons Amendts. to Lords Amendts. and Reasons considered *April* 4, 599; debate adjourned (No. 60)
Debate resumed *April* 21; Amendts. to which the Commons disagree, not insisted on; Commons' Amendts. to Lords Amendts. agreed to (No. 63)
Royal Assent *April* 24 [36 *Vict.* c. 9]

Bastardy Laws—Legislation
Question, Mr. Charley; Answer, Mr. Stansfeld *May* 8, 1680

BATES, Mr. E., *Plymouth*
Merchant Shipping Act—Rules of the Road at Sea, Res. 258
Navy—Naval Reserves, Motion for a Committee, 567

BAXTER, Right Hon. W. E. (Secretary to the Treasury), *Montrose, &c.*
Board of Works (Ireland), 526
Customs and Inland Revenue, Comm. 1686
Customs Department (Salaries), 1788
General Valuation (Ireland), 2R. 1540
Local Taxation—Criminal Prosecutions, Cost of, 1788
Revenue Departments—Superannuations, 2019
Russia—Crimea, British Graves in the, 1762
Scotland — Dumfries — Hannahfield Estate, 234
Superannuation Act Amendment, Comm. 1700
Supply—Anstruther Harbour, 1004
    Charity Commission, 1015
    Civil Service Commission, 1016
    Customs Department, 1818
    Endowed Schools Commission, 1797
    Government Property, Rates on, 788
    Harbours, &c., 787
    Inland Revenue, 1819
    Law Officers, &c., 1771
    Learned Societies, 1796
    Lighthouses Abroad, 1005
    Miscellaneous Expenses, 1818
    New Courts of Justice, &c., Motion for reporting Progress, 793
    Privy Council for Trade, &c., 1010, 1012
    Public Works in Ireland, 1004
    Registrar General of Births, &c. 1016
    Salaries, &c., of Temporary Commissions, 1816, 1817
    Superannuation Allowances, 1814, 1815
    Tonnage Duties, 1813
Valuation Department (Ireland), Res. 425
Ways and Means—Customs—Tobacco (Unpaid Duties), 1677
Ways and Means—Sugar Duties Resolutions, 801; Report, 1307, 1313
Woods and Forests, Office of—Crown Teinds (Scotland), 1789

BAZLEY, Sir T., *Manchester*
Army—Indian Medical Officers, 399
East India Finance Committee, Second Report, 1874
Africa (West Coast)—Lagos, 971

Beach, Sir M. E. Hicks-, *Gloucestershire, E.*
Railway and Canal Traffic, Comm. *cl.* 24, 594; *add. cl.* 596

Beach, Mr. W. W. B., *Hampshire, N.*
Agricultural Children, 3R. 1709

Belmore, Earl of
Australian Colonies (Customs Duties), 2R. 2009
Railway and Canal Traffic, Comm. *cl.* 19, 1847

Bentinck, Mr. G. A. F. Cavendish, *Whitehaven*
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 280
Parliament—Easter Vacation, Motion for Adjournment, 653
Seduction Laws Amendment, 2R. Amendt. 471, 473, 483

Bentinck, Mr. G. W. P., *Norfolk, W.*
Mercantile Marine—Lights in the Channel, Res. 1731, 1732
Merchant Shipping Act—Rules of the Road at Sea, Res. 248, 259, 260
Navy—Half-Pay of Officers, 28, 29
H.M.S. "Devastation," 578, 579, 589
Navy Estimates—Men and Boys, 80
Parliament—Easter Vacation, Motion for Adjournment, 650
Order of Business, 226
Railway and Canal Traffic, Comm. 366
Ways and Means, Comm. 939

Beresford, Colonel F. M., *Southwark*
Army—Woolwich Royal Military Academy Examinations, 1785
Burials, 2R. 213
Mercantile Marine—Distress Ship Signals, 1785
Taxes on Locomotion, Res. 450

Blennerhassett, Sir R., *Galway Bo.*
*Parliament—Electoral Power, Distribution of, 1583

Bonham-Carter, Mr. J. (Chairman of Committees of Ways and Means), *Winchester*
Supply—Bankruptcy Court, London, 1775, 1776
Charity Commission, 1014

Borough Franchise (Ireland) Bill
(*Mr. Callan, Mr. Mitchell Henry, Mr. Downing*)
c. Ordered* *April* 1
Read 1°* *April* 2 [Bill 118]

Bourke, Hon. R., *Lynn Regis*
*Central Asia, Motion for an Address, 863
Education Department—Advertisements, 1027
Juries (Ireland) Act, Motion for a Committee, 328
Parliament—Public Business, 1789

Bourne, Lieut.-Colonel J., *Evesham*
Post Office—Telegrams in French, 1139

Bouverie, Right Hon. E. P., *Kilmarnock, &c.*
Board of Education (Ireland)—O'Keeffe, Rev. Mr., 1140, 1720; Motion for a Committee, Amendt. 2032, 2034, 2054
Charing Cross and Victoria Embankment Approach, Consid. 2016
University Tests (Dublin) (No. 2), 306, 308
Women's Disabilities, 2R. Amendt. 1214

Bowring, Mr. E. A., *Exeter*
Customs and Inland Revenue, Comm. *cl.* 4, 1687; Schedule B, 1690
France—Treaty of Commerce, 1860, 15
Salmon Fisheries, Re-comm. *cl.* 19, Amendt. 890
Superannuation Act Amendment, Comm. *cl.* 1, 1707
Supply—British Museum, 1794
Houses of Parliament, 779, 782
Lighthouses Abroad, 1005
New Offices, Downing Street, 785
Privy Council for Trade, &c., 1008, 1010
Queen's and Lord Treasurer's Remembrancer, Amendt. 1453
Salaries, &c., of Temporary Commissions, 1816, 1817
Works and Buildings, 786

Bradford Improvement Bill (Lords) (by Order)
Parliament—Breach of Privilege
Order for Second Reading read; Mr. Speaker informed the House that the Bill contained clauses which imposed a tax upon the people, and ought therefore to have been introduced into this House, and not into the other House of Parliament *May* 8, 1676; after Explanation, Bill read 2ª, and committed

Brady, Mr. J., *Leitrim Co.*
Metropolis—Green Park, 1137
University Tests (Dublin) (No. 3), Comm. 1528

Brand, Right Hon. H. B. W., (*see* Speaker, The)

Brand, Mr. H. R., *Hertfordshire*
Agricultural Children, Comm. *cl.* 4, 1458
Endowed Schools Commissioners—Emanuel Hospital Scheme, Motion for an Address, 1913
India—Euphrates Valley Railway, Res. 628
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 3, 794; *cl.* 9, Amendt. 961, 962; *add. cl.* 1694

Brassey, Mr. T., *Hastings*
Navy—Naval Reserves, Motion for a Committee, 542, 567
Navy Estimates—Postponement of Motions, 20

Brazil—British Emigrants
Question, Mr. Floyer; Answer, Viscount Enfield *May* 9, 1712

Brewer, Dr. W., *Colchester*
Metropolis Buildings Act Amendment, 2R. 483, 504
Ways and Means, Report, 1082

Bright, Mr. Jacob, *Manchester*
Women's Disabilities, 2R. 1194, 1257

Brise, Colonel S. B. Ruggles-, *Essex, E.*
Jury List Allowances—Magistrates' Clerks, 530

British North America — The Alaska Boundary
Question, Mr. Eastwick; Answer, Viscount Enfield *May* 5, 1487

Brown, Mr. A. H., *Wenlock*
Army—Honorary Colonelcies, Res. 1601
Criminal Law—Shropshire Magistrates—Whitefoot, George, Case of, 1765

Bruce, Right Hon. H. A. (Secretary of State for the Home Department), *Renfrewshire*
Agricultural Children, Comm. *cl.* 4, 1458; 3R. 1709
Ancient Monuments Preservation, 2R. 1607
Burials, 2R. 199, 203, 521
Burials Act—Ancient Burial Place, Pontefract, 398
Canonries, 2R. 882
Compulsory Education — Prisons Act, 1865, 520
Conveyancing (Scotland), Comm. 1699
Criminal Law—Questions, &c.
Ann Murray, Case of, 528
Great Northern Railway Company—Inquest on a Guard, 2020
Shropshire Magistrates—Whitefoot, George, Case of, 1298
Tichborne Case, 1295, 1405, 1486, 1681, 1682, 2019
Infanticide Law Amendment, 2R. 1983
Licensing Act, 1872—Standard of Value, 1873
Locomotives on Roads, 2R. 886
Magistracy—Leamington, 100
Marriage Law, 99
Mercantile Marine — Cardiff Magistrates — Plimsoll, Mr., 1683
Unseaworthy Ships, 104
Merchant Shipping Act—Plimsoll, Mr., and Board of Trade, Explanation, 1784
Metropolis Buildings Act Amendment, 2R. 502, 503
Municipal Corporations Act—Devonport Watch Committee, 1784
Municipal Corporations (Borough Funds) Act, 105
Municipal Franchise (Ireland), 2R. 890
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 282
Permissive Prohibitory Liquor, 2R. 1656
[*cont.*

Bruce, Right Hon. H. A.—*cont.*
Police—Nottingham—Police Interference with Political Placards, 975
Radnor, Constabulary of, 1299
Police—Administration of the, Motion for a Committee, 1739, 1750
Public Prosecutors, 105
Superannuation Act Amendment, Comm. *cl.* 1, 1704
Supply—Criminal Prosecutions at Assizes, &c., 1772
Home Department and Subordinate Offices, 1007
Wild Birds Protection, Motion for a Committee, 1189
Women's Disabilities, 2R. 1232
Workshops Act, Res. 999

Bruen, Mr. H., *Carlow Co.*
Army—Woolwich Royal Military Academy, 1296
General Valuation (Ireland), 2R. 1538
Juries (Ireland) Act—Precedence of Motions, 111; Motion for a Committee, 315, 329

Building Societies Bill
(*Mr. Cross, Mr. Gourley, Mr. Walpole, Mr. Gregory, Mr. Torrens, Mr. Dodds*)
c. Ordered; read 1°* *Mar* 31 [Bill 109]

Building Societies (No. 2) Bill
(*Mr. Winterbotham, Mr. Secretary Bruce, Mr. Solicitor General*)
c. Motion for Leave (*Mr. Winterbotham*) *April* 29, 1190; Bill ordered; read 1°* [Bill 141]

Burials Act—Ancient Burial-Place, Pontefract
Question, The O'Conor Don; Answer, Mr. Bruce *April* 1, 398

Burials, Bethnal Green
Question, Mr. Charley; Answer, Mr. Bruce *April* 3, 520

Burials Bill (*Mr. Osborne Morgan, Lord Edmond Fitzmaurice, Mr. Hadfield, Mr. M'Arthur*)
c. Moved, "That the Bill be now read 2°" *Mar* 26, 158
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Disraeli*); after debate, Question put, "That 'now,' &c.;" A. 280, N. 217; M. 63; main Question put, and agreed to; Bill read 2° [Bill 9]
Division List, Ayes and Noes, 213

Bury, Viscount, *Berwick-on-Tweed*
Railway and Canal Traffic, Comm. *cl.* 22, 592
Treaty of Washington, 1443

Butt, Mr. I., *Limerick City*
Fisheries (Ireland), 972
Galway Election Petitions, Trial of, Res. 983
Municipal Franchise (Ireland), 2R. 889
Peace Preservation (Ireland), 2R. 2065
University Tests (Dublin) (No. 3), 2R. 765

Cadogan, Hon. F. W., *Cricklade*
Burials, 2R. 197

Cairns, Lord
Bastardy Laws Amendment, Comm. Amendt. 600
East India Stock Dividend Redemption, 2R. 1114
Elementary Education Provisional Order Confirmation (No. 1), Comm. 1674
Improvement of Land, Motion for a Committee, 516
Land Titles and Transfer, 1R. 1134
Mutiny, Comm. 723, 724
Railway and Canal Traffic, Comm. *cl.* 12, 1845; *cl.* 19, 1848; *cl.* 25, 1849
Supreme Court of Judicature, Comm. 391; Re-comm. *cl.* 5, Amendt. 1259; Res. 1400; 3R. 1478
University Tests (Dublin), 2R. 1849

Callan, Mr. P., *Dundalk*
Juries (Ireland) Act, 1871—Nomination of Committee, 604
Supply—Stationery Office, Amendt. 1022
University Tests (Dublin)—Withdrawal of Bill, 300

Campbell, Lord
Zanzibar—Sir Bartle Frere's Mission, Motion for Correspondence, 1779, 1781

Campbell-Bannerman, Mr. H. (Financial Secretary, War Department), *Stirling, &c.*
Army Fine Fund, 1753
Militia Surgeons, 1137

Camperdown, Earl of (Lord of the Admiralty)
Navy—H.M.S "Devastation," 336, 342

Canada, Dominion of
Manitoba, Question, Sir Stafford Northcote; Answer, Mr. Knatchbull-Hugessen *April* 29, 1140
Transfer of Arms, Stores, &c., Question, Major Arbuthnot; Answer, Sir Henry Storks *May* 8, 1678
Treaty of Washington—The Fisheries, Question, Mr. Percy Wyndham; Answer, Mr. Knatchbull-Hugessen *May* 15, 2018
United States—The Alaska Boundary, Question, Mr. Eastwick; Answer, Viscount Enfield *May* 5, 1487

Canada Loan Guarantee Bill
(*Mr. Bonham-Carter, Mr. Knatchbull-Hugessen, Mr. Baxter*)
c. Ordered; read 1°* *May* 9 [Bill 159]

Candlish, Mr. J., *Sunderland*
East India Loan, Comm. 1113
Seduction Laws Amendment, 2R. 482
Supply—Constabulary Force, Ireland, 1778

Canonries Bill (*Mr. Beresford Hope, Mr. William Henry Smith, Mr. J. G. Talbot*)
c. Bill read 2°, after debate *April* 23, 878 [Bill 18]
Committee*; Report *April* 25
Read 3°* *April* 28
l. Read 1ª* (*M. of Salisbury*) *April* 29 (No. 83)
Bill read 2ª, and referred to a Select Committee *May* 8; List of the Committee, 1675

Canterbury, Archbishop of
Supreme Court of Judicature, 3R. 1468, 1470

Canterbury, Viscount
Australian Colonies (Customs Duties), 2R. 2006

Cardwell, Right Hon. E. (Secretary of State for War), *Oxford City*
Army—Questions, &c.
Auxiliary Forces—Adjutants, 1872
Chelsea Hospital Pensioners, 221
Easter Monday Reviews, 290, 291, 298
Fine Fund, 1759
Medical Department, 1299
Militia, 110
Militia Adjutants (Ireland), 14
95th Regiment, 1559
Queen's and Indian Armies, 1559
Reserve Forces, 800
Sandhurst, Insubordination at, 902
10th Hussars, 400
Troop Ship "Serapis"—Scotch Fusilier Guards, 902
21st R.N.B. Fusiliers, 1713
Woolwich Royal Military Academy, 1296; —Examinations, 1785
Yeomanry Adjutants, 522
Army—City of London Volunteers—The Artillery Company's Drill Ground, Res. 816
Army—Honorary Colonelcies, Res. 1602
Board of Education (Ireland)—O'Keeffe, Rev. Mr., Motion for a Committee, 2042
Mutiny, 3R. 389
University Tests (Dublin) (No. 2), 309

Carnarvon, Earl of
Africa — West Coast Settlements—Ashantee Invasion, 1396
Australian Colonies (Customs Duties), 2R. 2008
Supreme Court of Judicature, 3R. 1472
Vagrants Law Amendment, 2R. 2013

Carter, Mr. R. M., *Leeds*
Mercantile Marine—Plimsoll, Mr., and Cardiff Shipowners, 1714

Cartwright, Mr. W. C., *Oxfordshire*
Central Asia, Motion for an Address, 869

Cattle
Importation of German Cattle, Question, Mr. Clare Read; Answer, Mr. W. E. Forster *May* 9, 1717

Cave, Right Hon. S., *New Shoreham*
Customs and Inland Revenue, Comm. 1684, 1685
Harbours of Refuge, Motion for a Committee, 1423
Railway and Canal Traffic, Comm. *cl.* 22, 593; *cl.* 33, 594, 596

[*cont.*

Cave, Right Hon. S.—*cont.*
Supply—Local Government Board, 1020
Ways and Means—Sugar Duties—International Conferences, 1717
Ways and Means, Report, 1104, 1300

Cawley, Mr. C. E., *Salford*
Locomotives on Roads, 2R..883, 889
Register for Parliamentary and Municipal Electors, Comm. *cl.* 9, 961 ; Re-comm. *cl.* 19, Amendt. 1693, 1694
Supply—Local Government Board, 1020

Cecil, Lord E. H. B. G., *Essex, W.*
Army (India)—Breech-loaders, Supply of, 12
Army—95th Regiment, 1559

Central Asia
Extension of the Russian Frontier, Question, Mr. Eastwick ; Answer, Viscount Enfield *May* 15, 2017
The Khiva Expedition, Question, Viscount Mahon ; Answer, Viscount Enfield *April* 1, 399

Central Asia
Moved, "That an humble Address be presented to Her Majesty, That She will be graciously pleased to give directions, that there be laid before this House Copies of Correspondence relating to the Missions to Khiva of Mr. Thompson and Rajib Ali :
"And, of any Despatches in 1862 and 1863 respecting the employment of British Officers with the troops of His Majesty the Shah, and respecting the state of Khurásán at that time" (*Mr. Eastwick*) *April* 22, 818 ; after long debate, Motion withdrawn

Chadwick, Mr. D., *Macclesfield*
Income Tax, Motion for a Committee, 157
Parliament—Business of the House, Motion for a Committee, 243

Chambers, Sir T., *Marylebone*
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1955

Chambers, Mr. M., *Devonport*
Merchant Shipping Act—Collision between "C. M. Palmer" and "Larnax," 800
Merchant Shipping Act—Rules of the Road at Sea, Res. 258
Parliament—Business of the House, Motion for a Committee, 244
Russia—Crimea, Graves in the, 1762
Workshops Act, Res. 998

Chancellor, The Lord (Lord Selborne)
Bastardy Laws Amendment, Comm. 4 ; Commons' Amendts. 601, 724
Land Titles and Transfer, 1R. 1116, 1135
Marriages (Ireland), 2R. 92 ; Comm. 892
Railway and Canal Traffic, Comm. *cl.* 19, 1848 ; *cl.* 25, 1849
Supreme Court of Judicature, Comm. 6, 393, 397 ; Re-comm. *cl.* 5, 1270 ; Res. 1398 ; 3R. 1476
Vagrants Law Amendment, 2R. 2013

Chancellor of the Exchequer (Right Hon. R. Lowe), *London University*
Civil Service Examinations, 102, 345
Currency—Bank Act, Res. 147
Customs and Inland Revenue, Comm. 1685 ; *cl.* 4, 1688 ; Schedule B, 1690
India—Euphrates Valley Railway, Res. 607, 622
Ireland—Civil Service, Report of the Commissioners, 11, 346
Shannon River, 348
Ireland—Irish Railways, Purchase of, Res. 1176
Law Officers of the Crown—Attorney General, The, 14
Post Office—Cape of Good Hope, Conveyance of Mails to, 1488
Extension of Telegraphs—Post Office and Telegraph Services — Financial Irregularities, 523, 1558
Savings Banks — Investment of Deposits, 1718
Sheriffs Substitute (Scotland), 523
Superannuation Act Amendment, Comm. 1702 ; *cl.* 1, 1703, 1705
Supply—Civil Service Commission, 1016
Privy Council for Trade, &c., 1009, 1010
Superannuation Allowances, 1815
Wellington Monument, 788, 789
Taxes on Locomotion, Res. 445
Ways and Means—Dog Licence, 525
Sugar Duties — International Conference, 1864, 347, 528, 1717, 1718
Ways and Means, Financial Statement, Comm. 654, 670, 673, 708, 713 ; Report, 920, 921 ; Comm. 948, 956, 958, 1041, 1062, 1322

Charing Cross and Victoria Embankment Approach Bill (*by Order*)
c. Bill considered, after short debate *May* 15, 2014

Charley, Mr. W. T., *Salford*
Army—Easter Monday Reviews, 290, 291, 298
Bastardy Laws — Proceedings in Bastardy, 1680
Burials, 520
Conveyancing (Scotland), Comm. 1698
Infanticide Law Amendment, 2R. 1981
Railway and Canal Traffic, Comm. *cl.* 4, 374
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 4, Amendt. 795 ; *cl.* 5, 960 ; *cl.* 10, Amendt. 1691 ; *add. cl.* 1694
Seduction Laws Amendment, 2R. 468

Chelmsford, Lord
Custody of Infants, 2R. 4

Childers, Right Hon. Hugh C. E. (Chancellor of the Duchy of Lancaster), *Pontefract*
Lancaster and Ulverston Sands, 1293
Navy—Half-Pay of Officers, 29, 30
Railway and Canal Traffic, Comm. 369 ; *cl.* 3, 371 ; *cl.* 4, 375 ; *cl.* 10, 376, 377, 379, 380 ; *cl.* 22, 592 ; *add. cl.* 598
Supply—Court of Chancery, 1774
*Ways and Means, Comm. 930

Civil Service—Appointments by Public Departments
Question, Mr. O'Reilly; Answer, The Chancellor of the Exchequer *Mar* 25, 101; Question, The O'Conor Don; Answer, The Chancellor of the Exchequer *Mar* 31, 345

CLEVELAND, Duke of
Gas Companies—Coal and Gas, Price of, 1461
Improvement of Land, Motion for a Committee, 509
Vagrants Law Amendment, 2R. 2012

COCHRANE, Mr. A. D. W. R. Baillie, *Isle of Wight*
Diplomatic and Consular Committee—Pensions to Consuls, 295
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1911
India—Euphrates Valley Railway, Res. 616
Parks Regulation Acts Meeting in the Parks, Motion for an Address, 269
Parliament—Business of the House, Motion for a Committee, 238, 241
Suez Canal—Shipping Tolls, 344
Suez Canal—Augmentation of Dues, Res. 451, 466; Explanation, 606
Treaty of Washington, 1433, 1436

COGAN, Right Hon. W. H. F., *Kildare Co.*
Board of Education (Ireland)—O'Keeffe, Rev. Mr., Motion for a Committee, 2049
General Valuation (Ireland), 2R. 1541
University Tests (Dublin) (No. 3), Comm. 1527

COLE, Lieut.-Colonel Hon. H. A., *Fermanagh*
Ireland—Galway Magistracy—Case of Mr. Dickson, 15

COLEBROOKE, Sir T. E., *Lanarkshire, S.*
Conveyancing (Scotland), 2R. 964; Comm. 1698
Entailed and Settled Estates (Scotland), 2R. 1542
Locomotives on Roads, 2R. 885

COLERIDGE, Sir J. D., (*see* ATTORNEY GENERAL, The)

COLLINS, Mr. T., *Boston*
Galway Election Petitions, Trial of, Res. 982
Occasional Sermons, 2R. Amendt. 1966
Parliament—Business of the House, Motion for a Committee, 238
Parliament—Electoral Power, Distribution of, Res. Amendt. 1573, 1590
Public Health, 2R. 1665
Register for Parliamentary and Municipal Electors, Comm. 292; Re-comm. *cl.* 3, 794, 795; *cl.* 4, *ib.*; *cl.* 5, 960; *cl.* 9, 961; *cl.* 10, 1691; *cl.* 13, 1693; *cl.* 16, Amendt. *ib.*; *add. cl.* 1694
Supply—Local Government Board, 1017, 1019
University Tests (Dublin) (No. 2), 305

COLMAN, Mr. J. J., *Norwich*
Local Taxation, Motion for a Committee, 1839

Colonial Church Bill [H.L.]
(*The Lord Blachford*)
l. Presented; read 1ª* *May* 15 (No. 118)

Consolidated Fund (£9,317,346 19s. 9d.) Bill (*Mr. Bonham-Carter, Mr. Baxter, Mr. William Henry Gladstone*)
c. Resolutions [March 21] reported; Bill ordered; read 1°* *Mar* 24
Read 2°* *Mar* 26
Committee*; Report *Mar* 27
Read 3°* *Mar* 28
l. Read 1ª* (*Marquess of Lansdowne*) *Mar* 28
Read 2ª*; Committee negatived; read 3ª; Royal Assent *Mar* 29 [36 *Vict.* c. 3]

Consolidated Rate Bill (*Mr. Stansfeld,* (*Mr. Secretary Bruce, Mr. Goschen, Mr. Hibbert*)
c. Ordered; read 1°* *May* 5 [Bill 148]

Conveyancing (Scotland) Bill
(*Mr. Secretary Bruce, The Lord Advocate, Mr. Winterbotham*)
c. Ordered; read 1°* *Mar* 27 [Bill 108]
Bill read 2°, after short debate *April* 24, 962
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *May* 8, 1695
Amendt. to leave out from "That," and add "the Bill be committed to a Select Committee" (*Mr. Gordon*) *v.*; Question, "That the words, &c.," put, and agreed to
Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P.
Committee—R.P. *May* 12, 1841

CORBETT, Colonel E., *Shropshire, S.*
Criminal Law—Shropshire Magistrates—Whitefoot, George, Case of, 1769

CORRANCE, Mr. F. S., *Suffolk, E.*
Agricultural Children, 3R. 1708
Barking Charity Schools, Motion for an Address, 1960
Local Government Board — Inspectors and Health Officers, 18
Local Taxation, Motion for a Committee, 1838
Public Health, 2R. Amendt. 1665
Rating (Liability and Value)—Valuation—Consolidated Rate, Leave, 1512
Supply—Local Government Board, 1019
Ways and Means, Financial Statement, Comm. 682; Report. 917

County Authorities (Loans) Bill
(*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Ordered; read 1°* *April* 21 [Bill 134]
Read 2°* *May* 5
Committee*—R.P. *May* 12
Committee*; Report *May* 15

County Franchise (Ireland) Bill
(*Mr. Callan, Mr. Mitchell Henry, Mr. Downing*)
c. Ordered * *April* 1
Read 1°* *April* 2 [Bill 119]

Cowper, Earl
Mercantile Marine—Royal Commission, 97, 98

Cowper-Temple, Right Hon. W. F., *Hampshire, S.*
Occasional Sermons, 2R. 1962

Craufurd, Mr. E. H. J., *Ayr, &c.*
Conveyancing (Scotland), 2R. 965; Comm. *cl.* 3, Amendt. 1842
Rating (Liability and Value)—Valuation—Consolidated Rate, Leave, 1516

Crawford, Mr. R. W., *London*
Army—City of London Volunteers—The Artillery Company's Drill Ground, Res, 817
Currency—Bank Act, Res. 143, 156
Customs and Inland Revenue, Comm. *cl.* 4, 1687, 1688
East India Stock Dividend Redemption, 726
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1875, 1895, 1897, 1899, 1902, 1956
Merchant Shipping Act—" Atlantic," Wreck of the," 647
Parliament—Business of the House, Motion for a Committee, 244
Ways and Means, Financial Statement, Comm. 683; Report, 914; Comm. 950

Crichton, Viscount, *Enniskillen*
Ireland—Judicial Bench—Justice Lawson, Mr., Libels upon, 1297

Criminal Law
Case of Ann Murray, Question, Mr. W. Lowther; Answer, Mr. Bruce *April* 3, 528
Great Northern Railway Company—Inquest on a Guard, Question, Mr. Straight; Answer, Mr. Bruce *May* 15, 2020
Shropshire Magistrates — Case of George Whitefoot, Question, Mr. P. A. Taylor; Answer, Mr. Bruce *May* 1, 1298; Observations, Mr. P. A. Taylor; Reply, The Attorney General; short debate thereon *May* 9, 1763
The Tichborne Case—The Queen v. *Castro*, Question, Mr. Whalley; Answer, Mr. Bruce *May* 1, 1294; Question, Mr. M. Guest; Answer, Mr. Bruce *May* 2, 1405; Question, Mr. Whalley; Answer, Mr. Bruce *May* 5, 1485; Questions, Mr. Whalley; Answers, Mr. Bruce *May* 8, 1681; Question, Mr. O'Conor; Answer, Mr. Bruce *May* 15, 2019

Criminal Law Amendment Act (1871) Repeal Bill (*Mr. Mundella, Mr. Morley, Mr. Carter, Mr. Eustace Smith*)
c. Ordered; read 1°* *May* 12 [Bill 161]

Croft, Sir H. G. D., *Herefordshire*
Burials, 2R. 208
Railway and Canal Traffic, 3R. Amendt. 1105

Cross, Mr. R. Assheton, *Lancashire, S.W.*
Agricultural Children, Comm. *cl.* 4, Amendt. 1458
Building Societies (No. 2), Leave, 1193
Burials, 2R. 187, 203
Local Taxation, Motion for a Committee, 1830, 1832
Railway and Canal Traffic, Comm. 361; *cl.* 4, 373; *cl.* 10, 376, 377; Amendt. 378, 380, 382; *cl.* 11, 384; *cl.* 20, 386, 387; *cl.* 24, Amendt. 594; *cl.* 33, 595; 3R. 1107
Register for Parliamentary and Municipal Electors, Comm. 293; *cl.* 9, 961; Re-comm. *cl.* 13, 1692
Superannuation Act Amendment, Comm. *cl.* 1, 1704, 1706, 1707
Ways and Means, Comm. 947

Crown Lands Bill—*Formerly* **Woods and Forests Bill**
(*Mr. William Henry Gladstone, Mr. Baxter*)
c. Ordered; read 1°* *April* 28 [Bill 140]
Read 2°* *May* 5
Committee*; Report *May* 8
Considered* *May* 12
Read 3°* *May* 13
l. Read 1ª* (*Duke of St. Albans*) *May* 15 (No. 117)

Cubitt, Mr. G., *Surrey, W.*
Supply—Charity Commission, 1013

Currency—The Bank Act
Moved, "That, in the opinion of this House, the present system of Currency is dangerous to the commerce of the Country, and that some change is necessary to prevent such extreme fluctuations in the discount rate as have been frequent since the passing of the Bank Act of 1844, and that an humble Address be presented to Her Majesty, praying that She will be pleased to issue a Royal Commission to inquire into the means of remedy for the evils complained of" (*Mr. Anderson*) *Mar* 25, 111
Amendt. to leave out from "That," and add "a Select Committee be appointed to inquire into the operation of the Bank Act of 1844, and of the Bank Acts for Ireland and Scotland of 1845" (*Sir John Lubbock*) *v.*, 135; Question proposed, "That the words, &c.;" after debate, Amendt. and Motion withdrawn

Custody of Infants Bill
(*The Lord Chelmsford*)
l. Bill read 2ª, after debate *Mar* 24, 4 (No. 38)
Committee* *Mar* 28 (No. 51)
Report* *Mar* 31
Read 3ª* *April* 1
Royal Assent *April* 24 [36 *Vict.* c. 12]

Customs and Inland Revenue Bill
(*Mr. Bonham-Carter, Mr. Chancellor of the Exchequer, Mr. Baxter*)
c. Ordered; read 1°* *May* 1 [Bill 144]
Read 2°* *May* 5
Committee; Report *May* 8, 1684
Read 3°* *May* 9

[*cont.*

Customs and Inland Revenue Bill—cont.
l. Read 1ª * (*Earl Granville*) *May* 12 (No. 106)
Read 2ª *; Committee negatived; read 3ª *May* 13
Royal Assent *May* 15 [36 *Vict.* c. 18]

Customs Department (*Salaries*)
Question, Mr. Trevelyan; Answer, Mr. Baxter *May* 12, 1788

Customs Duties (Isle of Man) Bill
(*Mr. Bonham-Carter, Mr. Chancellor of the Exchequer, Mr. Baxter*)
c. Considered in Committee; Bill ordered; read 1° * *May* 5 [Bill 151]
Read 2° * *May* 12
Committee *; Report *May* 13
Read 3° * *May* 14
l. Read 1ª * (*Marquess of Lansdowne*) *May* 15 (No. 116)

Dalrymple, Mr. C., *Buteshire*
Conveyancing (Scotland), 2R. 964
Navy—"Britannia" Training Ship, 1138
Workshops Act, Res. 991

Dalrymple, Mr. D., *Bath*
Army—Militia Surgeons, 1137
Permissive Prohibitory Liquor, 2R. 1629
Superannuation Act Amendment, Comm. *cl.* 1, 1705

Damer, Hon. Captain L. S. W. Dawson-, *Portarlington*
Spain—Sale and Purchase of Arms, 222

Davenport, Mr. W. Bromley-, *Warwickshire, N.*
Locomotives on Roads, 2R. 888

Defamation Bill
(*Mr. Raikes, Mr. Cross, Mr. Whitbread*)
c. 2R. negatived * *April* 1 [Bill 70]

Delahunty, Mr. J., *Waterford City*
Ireland—Irish Railways, Purchase of, Res. 1178

Denbigh, Earl of
University Tests (Dublin), 2R. 1850

Denison, Mr. C. Beckett-, *Yorkshire, W.R., E. Div.*
East India (Financial Statement), Res. 414
Railway and Canal Traffic, Comm. *cl.* 3, 371; *cl.* 4, 374; *cl.* 10, 381; *cl.* 12, 386; *cl.* 22, 591
Suez Canal—Shipping Tolls, 297
Suez Canal—Augmentation of Dues, Res. 466

Denman, Lord
Supreme Court of Judicature, Comm. 7, 394; Res. 1398; 3R. Amendt. 1463

De Ros, Lord
Elementary Education Provisional Order Confirmation (No. 1), Comm. 1672

Dickinson, Mr. S. S., *Stroud*
Endowed Schools Commissioners—Emanuel Hospital Scheme, Motion for an Address, 1917
Superannuation Act Amendment, Comm. 1702; *cl.* 1, Amendt. 1703, 1704
Supply—Customs Department, 1818
  Inland Revenue, 1819
  Superannuation Allowances, 1815

Dickson, Major A. G., *Dover*
Dover Harbour, 1027, 1788

Digby, Mr. K. T., *Queen's Co.*
University Tests (Dublin) (No. 3), Comm. 1526

Dilke, Sir C. W., *Chelsea, &c.*
Metropolis—Gas, Price of, 221
  Hampton Court Green, 8
Parliament—Electoral Power, Distribution of, Res. 1561, 1590
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 5, Amendt. 959

Dillwyn, Mr. L. L., *Swansea*
Criminal Law — Shropshire Magistrates — Whitefoot, George, Case of, 1769
Railway and Canal Traffic, Comm. *cl.* 23, 594
Supply—Bankruptcy Court, London, 1775
  Charity Commission, 1014
  Local Government Board, 1019
  Lord Privy Seal, 1791
  Natural History Museum, 790
  Queen's and Lord Treasurer's Remembrancer, 1454
Wild Birds Protection, Motion for a Committee, 1189

Diplomatic and Consular Committee — Pensions to Consuls
Question, Mr. Baillie Cochrane; Answer, Viscount Enfield *Mar* 28, 295

Diplomatic Service—Staff of Secretaries and Attachés
Question, Mr. W. Lowther; Answer, Viscount Enfield *May* 12, 1787

Disraeli, Right Hon. B., *Buckinghamshire*
Burials, 2R. Amendt. 171, 172
Parliament—Public Business, 1790
Parliament—Breach of Privilege—"Pall Mall Gazette," Res. 532
Ways and Means, Report, 1349

Divorce Bills
Select Committee nominated; List of the Committee *April* 29, 1194

DIXON, Mr. G., *Birmingham*
Elementary Education Act (1870), 14;—Puttenham School Rates, 1782
Fiji Islands—Consul March, 347
Parliament—Public Business, 634
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 3, 793; *cl.* 4, Amendt. 796

DODDS, Mr. J., *Stockton*
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 3, 794, 795
Salmon Fisheries Commissioners, 3R. 88

DODSON, Right Hon. J. G., *Sussex, E.*
Central Asia, Motion for an Address, 877
India—Euphrates Valley Railway, Res. 614
Juries, Comm. *cl.* 1, 2072
Parliament — Business of the House, Motion for a Committee, 236
University Tests (Dublin) (No. 2), 305, 308
University Tests (Dublin) (No. 3), Comm. *cl.* 3, 1534

Dover Harbour Bill
Question, Major Dickson; Answer, Mr. Chichester Fortescue *April* 28, 1027; *May* 12, 1788

DOWNING, Mr. M'Carthy, *Cork Co.*
Board of Works (Ireland), 526
Civil Service (Ireland), Reports of Commissioners, 526
General Valuation (Ireland), 2R. 1538
Ireland — Irish Railways, Purchase of, Res. 1174, 1177
Juries (Ireland) Act, Motion for a Committee, 327
Parliament—Breach of Privilege—"Pall Mall Gazette," Res. 534
University Tests (Dublin) (No. 2), Motion for Adjournment, 306
University Tests (Dublin) (No. 3), Res. 505
Valuation Department (Ireland), Res. 428

Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) Bill (*The Marquess of Lansdowne*)
l. Read 1ª * *Mar* 24 (No. 46)
Read 2ª * *April* 22
Committee *; Report *April* 24
Read 3ª * *April* 25
Royal Assent *May* 15 [36 *Vict.* c. xv.]

DUCIE, Earl of
Railway and Canal Traffic, 2R. 1556

DUFF, Mr. M. E. Grant (Under Secretary of State for India), *Elgin, &c.*
Central Asia, Motion for an Address, 852
East India (Financial Statement), Res. 421
East India Loan, Comm. 1109
East India Stock Dividend Redemption, 726
India—Questions, &c.
  Army — Banda and Kirwee Prize Money, 100, 223, 646, 1485
  Army—Breech-loaders, Supply of, 12
  Army—Majors of Artillery, 1404

[*cont.*

DUFF, Mr. M. E. Grant—*cont.*
  Army—Medical Officers, 399
  Army—Troop Horses, 603
  Burmese Embassy, 904
  Education, 1024
  H.M. Roman Catholic Servants, 1484
  Railway Gauge, 637; — Punjaub Lines, 1028

DUFF, Mr. R. W., *Banffshire*
Mercantile Marine—Unseaworthy Ships, 103
Merchant Shipping Act—"Maggie," Case of the, 299
Navy—Half Pay of Officers, 32

DYNEVOR, Lord
Supreme Court of Judicature, 3R. 1474

EATON, Mr. H. W., *Coventry*
France—Commercial Treaty, 1860, 528

East India Company's Stock (Redemption of Dividend) Bill—*Afterwards* **East India Stock Dividend Redemption Bill** (*Mr. Grant Duff, Mr. Ayrton*)
c. Ordered; read 1° * *Mar* 26 [Bill 102]
Read 2° * *Mar* 31
Committee *; Report *April* 3
Considered * *April* 7
Read 3° * *April* 21
Question, Mr. Crawford; Answer, Mr. Grant Duff *April* 21, 726
l. Read 1ª * (*Duke of Argyll*) *April* 22 (No. 67)
Read 2ª *April* 29, 1114
Committee *; Report *May* 6
Read 3ª * *May* 8
Royal Assent *May* 15 [36 *Vict.* c. 17]

East India Finance Committee — Second Report
Questions, Sir Thomas Bazley, Mr. Hunt, Sir Stafford Northcote; Answers, Mr. Gladstone *May* 13, 1874

East India Loan Bill (*Mr. Grant Duff, Mr. Ayrton*)
c. Ordered; read 1° * *Mar* 24 [Bill 103]
Read 2° * *Mar* 31
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *April* 3; debate adjourned
Debate resumed *April* 28, 1108
Amendt. to leave out from "That," and add "in the opinion of this House, it is inexpedient that a loan of a large amount should be raised upon the security of the revenues of India, when the measure which authorises the loan contains no statement of the purposes to which it is proposed to devote the money, and provides no security that a portion of the loan may not be employed as ordinary revenue, or may not be applied to objects different from those for which the loan was originally intended" (*Mr. Fawcett*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put; A. 88, N. 46; M. 42; main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P.

[*cont.*

East India Loan Bill—cont.
Committee *; Report *May* 8
Considered * *May* 9
Read 3° * *May* 12
l. Read 1ª * (*Duke of Argyll*) *May* 13 (No. 109)

EASTWICK, Mr. E. B., *Penryn, &c.*
Central Asia—Russian Frontier, Extension of, 2017
Central Asia, Motion for an Address, 818, 877
East India (Financial Statement), Res. 413
India—Burmese Embassy, 904
India—Euphrates Valley Railway, Res. 624
Mercantile Marine—Lights in the Channel, Res. 1721
Suez Canal—Augmentation of Dues, Res. 455
Treaty of Washington, 1442
United States—British North America—Alaska Boundary, 1487
Women's Disabilities, 2R. 1208

Ecclesiastical Commissioners (*Salaries*)
Question, Mr. Monk; Answer, Mr. Gladstone *May* 1, 1294

EDUCATION
Compulsory Education — Prisons Act, 1865, Question, Colonel Egerton Leigh; Answer, Mr. Bruce *April* 3, 520
Education Department—Advertisements, Question, Mr. Bourke; Answer, Mr. W. E. Forster *April* 28, 1027;—*The New Code*, 1873, Questions, Mr. J. G. Talbot, Lord Edmond Fitzmaurice; Answers, Mr. W. E. Forster *Mar* 31, 348

Elementary Education Act (1870) *Amendment*
Question, Mr. Dixon; Answer, Mr. W. E. Forster *Mar* 24, 14
Puttenham School Rates, Question, Mr. Dixon; Answer, Mr. Hibbert *May* 12, 1782
School Board Elections, Question, Mr. Akroyd; Answer, Mr. W. E. Forster *April* 7, 635

Education (*Scotland*) *Act, Sec.* 56—*Teachers*, Question, Mr. Gordon; Answer, Mr. W. E. Forster *April* 7, 649
Sec. 57—*Examination of Teachers*, Question, Mr. Gordon; Answer, Mr. W. E. Forster *April* 1, 401
Board of Education (*Scotland*), Question, Mr. Gordon; Answer, Mr. W. E. Forster *May* 2, 1406

EGERTON OF TATTON, Lord
Gas Companies—Coal and Gas, Price of, 1462

EGERTON, Hon. A. F., *Lancashire, S.E.*
Seduction Laws Amendment, 2R. 481

EGERTON, Hon. Admiral F., *Derbyshire, E.*
Navy—H.M.S "Devastation," 579

Egypt
Assassination of Captain C. Agnew, Question, Major Gavin; Answer, Viscount Enfield *May* 8, 1683
Sir Samuel Baker, Question, Lord Ronald Gower; Answer, Viscount Enfield *Mar* 24, 19
[See title *Suez Canal*]

ELCHO, Lord, *Haddingtonshire*
Army—Easter Monday Reviews, 289, 291
Charing Cross and Victoria Embankment Approach, Consid. 2014
India—Banda and Kirwee Prize Money, 222
Landlord and Tenant, 644
Navy—"Britannia" Training Ship, 1139

Elementary Education Provisional Order Confirmation (No. 1) Bill
(*Mr. William Edward Forster, Mr. Winterbotham*)
c. Read 2° * *Mar* 24 [Bill 95]
Committee *; Report *April* 3
Considered * *April* 7
Read 3° * *April* 21
l. Read 1ª * (*The Lord President*) *April* 22
Read 2ª * *May* 1 (No. 68)
Committee; referred to a Select Committee *May* 8, 1667; List of the Committee, 1674

Elementary Education Provisional Order Confirmation (No. 2) Bill
(*Mr. William Edward Forster, Mr. Winterbotham*)
c. Read 2° * *Mar* 24 [Bill 96]
Committee *; Report *April* 3
Considered * *April* 7
Read 3° * *April* 21
l. Read 1ª * (*The Lord President*) *April* 22
Read 2ª * *May* 1 (No. 69)
Committee *; Report *May* 8
Read 3ª * *May* 9
Royal Assent *May* 15 [36 *Vict.* c. xxii]

Elementary Education Provisional Order Confirmation (No. 3) Bill (*Mr. William Edward Forster, Mr. Secretary Bruce*)
c. Ordered * *April* 1
Read 1° * *April* 2 [Bill 115]
Read 2° * *April* 13
Committee *; Report *April* 21
Read 3° * *April* 22
l. Read 1ª * (*The Lord President*) *April* 24
Read 2ª * *May* 2 (No. 78)
Committee *; Report *May* 8
Read 3ª * *May* 9
Royal Assent *May* 15 [36 *Vict.* c. xxiii]

ELLIOT, Mr. G., *Durham, N.*
Railway and Canal Traffic, Comm. *cl.* 10, 380

ELPHINSTONE, Sir J. D. H., *Portsmouth*
Navy—Contract Prices, 519
  Half Pay of Officers, 20, 26, 30
  H.M.S. "Devastation," 574, 576, 577
Navy Estimates, Men and Boys, 87
  Postponement of Motions, 20
  Shipping Survey, &c. 1994

Endowed Schools Address Bill
(*Mr. William Edward Forster, Mr. Winterbotham*)
c. Read 2° * *Mar* 24 [Bill 94]
Committee * *Mar* 26—R.P.
Committee *; Report *Mar* 27
Read 3° * *Mar* 28
l. Read 1ª * (*The Lord President*) *Mar* 31
Read 2ª *; Committee negatived *April* 1
Read 3ª * *April* 3 (No. 54)
Royal Assent *April* 4 [36 *Vict.* c. 7]

Endowed Schools Commissioners—Barking Charity Schools Scheme
Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to withhold Her assent to the scheme of the Endowed Schools Commissioners for the management of the Barking Charity Schools" (*Mr. Corrance*) *May* 13, 1960; after short debate, Motion withdrawn

Endowed Schools Commissioners—Emanuel Hospital Scheme
Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty that She will be graciously pleased to withhold Her assent from the scheme of the Endowed Schools Commissioners for the management of Emanuel Hospital, in the parish of St. Margaret, in the city of Westminster" (*Mr. Crawford*) *May* 13, 1875; after long debate, Question put; A. 238, N. 286; M. 48
Division List, Ayes and Noes, 1956

ENFIELD, Viscount (Under Secretary of State for Foreign Affairs), *Middlesex*
Africa (West Coast) — Fanti Confederation, 1483
Agnew, Captain Charles, Assassination of, 1683
Brazil, British Emigrants to, 1712
Central Asia—Russian Frontier, Extension of, 2017
Central Asia, Motion for an Address, 877
Diplomatic and Consular Committee—Pensions to Consuls, 295
Diplomatic Service—Attachés, Staff of, 1787
Egypt—Sir Samuel Baker, 19
Fiji Islands—Consul March, 347, 1560
France—Passports, 602
  Treaty of Commerce, 1860, 15, 521
  Treaty of Commerce, 1872, 636
Patent Rights—International Conference, 636
Portugal—Commercial Tariff, 1029
Rome, Court of—Religious Corporations, 295
  Vansittart, Mr., Attack upon, 1490
Russia—Khiva Expedition, 399
Sandwich Islands, 219
Slave Trade—Zanzibar, 603
South Sea Islands — Upolo and Navigator Islands, 1783
Spain, 219
  "Murillo," Case of the, 344
  Sale and Purchase of Arms, 222
Suez Canal—Shipping Tolls, 297, 344
Suez Canal—Augmentation of Dues, Res. 461, 466
Supply — Embassies and Missions Abroad, 1803, 1804
  Secret Services, 1023
Treaty of Washington, 1436, 1440
United States—British North America—Alaska Boundary, 1488

Entailed and Settled Estates (Scotland) Bill (*The Lord Advocate, Mr. Secretary Bruce, Mr. Adam*)
c. Ordered; read 1º * *April* 7 [Bill 130]
Bill read 2º, after short debate *May* 5, 1541

Epping Forest Bill
(*Duke of St. Albans*)
l. Committee *; Report *Mar* 25
Read 3ª * *Mar* 27
Royal Assent *Mar* 29 [36 *Vict*. c. 5]

ERSKINE, Admiral J. E., *Stirlingshire*
Fiji Islands, 1560
Navy—Good Service Pensions, 524
  Half Pay of Officers, 31
Navy—Naval Reserves, Motion for a Committee, 557, 560

ESMONDE, Sir J., *Waterford Co.*
Juries (Ireland) Act, Motion for a Committee, 330
Parliament—Breach of Privilege—"Pall Mall Gazette," Res. 541
University Tests (Dublin) (No. 2), 305

EWING, Mr. A. Orr, *Dumbarton*
Conveyancing (Scotland), 2R. 964

EWING, Mr. H. E. CRUM-, *Paisley*
Ways and Means, Comm. 955

EXCHEQUER, CHANCELLOR of the, *see* CHANCELLOR of the EXCHEQUER

EYKYN, Mr. R., *Windsor*
Police — Administration of the, Motion for a Committee, 1733, 1749
Public Prosecutors, 104
Seduction Laws Amendment, 2R. 482

Fairs Act (1868) Amendment Bill—*Afterwards* **Fairs Bill**
(*Mr. Dodds, Mr. Pease, Mr. Clare Read, Mr. Milbank*)
c. Ordered * *April* 1
Read 1º * *April* 3 [Bill 125]
Read 2º * *April* 21
Committee *; Report *April* 24
Re-comm. *; Report *May* 1 [Bill 138]
Considered * *May* 5
Read 3º * *May* 7
l. Read 1ª * (*Earl of Feversham*) *May* 8 (No. 97)

FAWCETT, Mr. H., *Brighton*
Agricultural Children, 3R. 1709
East India (Financial Statement), Res. 402, 419
East India Loan, Comm. Amendt. 1109
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1943
Treasury and Post Office—Alleged Misappropriation of Funds, 101
University Tests (Dublin), Withdrawal of Bill, 302
University Tests (Dublin) (No. 2), 304
University Tests (Dublin) (No. 3), Res. Motion for Adjournment, 505; 2R. 727; Comm. 1530; *cl*. 2, 1532; *cl*. 3, 1535
Ways and Means (Financial Statement), Comm. 696; Report, 1088
Women's Disabilities, 2R. 1239

FEVERSHAM, Earl of
  Vagrants Law Amendment, 2R. 2011

FIELDEN, Mr. J., *Yorkshire, W.R., E. Div.*
  Railway and Canal Traffic, Comm. Amendt. 351, 370; *cl.* 21, Motion for reporting Progress, 388
  Superannuation Act Amendment, Comm. Amendt. 1701; *cl.* 1, 1705

Fiji Islands, The
  Consul March, Question, Mr. Dixon; Answer, Viscount Enfield *Mar* 31, 347
  Question, Admiral Erskine; Answer, Viscount Enfield *May* 6, 1560

Fishery Inspectors (Ireland) Bill
(*Mr. Butt, Mr. Callan*)
c. Ordered; read 1°* *April* 22 [Bill 136]
  Read 2°* *April* 25

FITZMAURICE, Lord E. G., *Calne*
  Agricultural Children, 3R. 1709
  Education Department—New Code, 1873, 348
  University Tests (Dublin) (No. 3), Comm. *cl.* 3, 1534

FLETCHER, Mr. I., *Cockermouth*
  Railway and Canal Traffic, Comm. *cl.* 11, 385

FLOYER, Mr. J., *Dorsetshire*
  Brazil—British Emigrants, 1712
  Criminal Law—Shropshire Magistrates—Whitefoot, George, Case of, 1769
  Juries, Comm. *cl.* 1, 2072

FORSTER, Right Hon. W. E. (Vice President of the Committee of Council on Education), *Bradford*
  Barking Charity Schools, Motion for an Address, 1960
  Bradford Improvement, 2R. 1677
  Cattle—German Cattle, Importation of, 1717
  Education Department—Advertisements, 1028
    New Code, 1873, 348
  Education (Scotland) — Examination of Teachers, 402, 649
    Board of, 1406
  Elementary Education Act Amendment (1870), 14
    School Board Elections, 635
  Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1950
  Mercantile Marine—"Druid," The, 223

FORTESCUE, Right Hon. Chichester S. (President of the Board of Trade), *Louth Co.*
  Board of Trade—Portpatrick Harbour, 8
    Railway Returns, 1487
  Dover Harbour, 1027, 1789
  Harbours of Refuge, Motion for a Committee, 1414, 1420
  Loss of Life at Sea, Commission on, 1025

[*cont.*

FORTESCUE, Right Hon. Chichester S.—*cont.*
  Mercantile Marine—Questions, &c.
    "Atlantic," Wreck of the, 974
    Balbriggan, Lifeboat at, 900
    "Hindoo" and "Parga," The, 10, 11
    "Knight Templar," The, 225
    Plimsoll, Mr., and Cardiff Shipowners, 1714
    Royal Commission, 298
    "Sea Queen," Loss of the, 106, 638
  Mercantile Marine—Lights in the Channel, Res. 1728
  Merchant Shipping Act—Questions, &c.
    "Atlantic," Wreck of the, 648
    Collision between "C. M. Palmer" and "Larnax," 800
    "Eleanor," The, 639, 642
    "Maggie," Case of the, 300
    "Parga," The, 1297
    Unseaworthy Ships, 102, 103, 104
  Merchant Shipping Act—Rules of the Road at Sea, Res. 255, 257, 260
  Merchant Shipping Act Amendment, Leave, 1961
  Metropolis—Gas, Price of, in the, 221
  Railway and Canal Traffic, Comm. 349; *cl.* 3, Amendt. 371; *cl.* 4, 372, 373; Amendt. 374; *cl.* 7, Amendt. 375; *cl.* 10, 377; Amendt. 378, 379, 380, 381, 382; *cl.* 11, 384, 385; *cl.* 12, 386; *cl.* 20, *ib.*, 387; *cl.* 21, 388; Amendt. 590; *cl.* 22, Amendt. 591, 593; *cl.* 23, Amendt. *ib.*, 594; *cl.* 24, Amendt. *ib.*; *cl.* 33, 595, 596; *add. cl. ib.*, 597; Consid. *cl.* 4, Amendt. 720; *cl.* 10, *ib.*; 3R. 1108
  Railway and Canal Commissioners Court, 903, 1027
  Railway and Canal Companies — Joint Committee, 1487
  Railways—Communication between Passengers and Guards, 1712
  Supply—Privy Council for Trade, &c. 1012

FOWLER, Mr. R. N., *Penryn, &c.*
  East India (Financial Statement), Res. 402, 422
  Parliament—Business of the House, Motion for a Committee, 241
  Public Health, 2R. 1708
  Russia—Crimea, British Graves in the, 1761
  Supply—Metropolitan Police Courts, 791
    Queen's and Lord Treasurer's Remembrancer, 1455
  Ways and Means (Financial Statement), Comm. 677; Report, 915

FOWLER, Mr. W., *Cambridge Bo.*
  Currency—Bank Act, Res. 136
  Post Office—Telegraph Act, 1869—Compensations, 345
  Ways and Means (Financial Statement), Comm. 688; Report, 917

France
  Passports, Question, Sir David Wedderburn; Answer, Viscount Enfield *April* 4, 602
  The Commercial Treaty, 1860, Question, Mr. Bowring; Answer, Viscount Enfield *Mar* 24, 15; Question, Mr. Raikes; Answer, Viscount Enfield *April* 3, 521; Question, Mr. Eaton; Answer, Mr. Gladstone, 528
  The Commercial Treaty, 1872, Question Mr. Macfie; Answer, Viscount Enfield *April* 7, 636

FRENCH, Right Hon. Colonel F., *Roscommon Co.*
Valuation Department (Ireland), Res. 425

Fulford Chapel Marriages Legalization Bill [H.L.] (*The Lord Bishop of Chichester*)
l. Presented; read 1ª* *April* 29 (No. 82)
Read 2ª* *May* 2
Committee*; Report *May* 6
Read 3ª* *May* 8
c. Read 1°* *May* 9 [Bill 160]
Read 2°* *May* 12
Committee*; Report *May* 13
Read 3°* *May* 14
Royal Assent *May* 26 [36 *Vict.* c. 20]

Gas and Water Provisional Orders Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Ordered; read 1°* *April* 3 [Bill 126]
Read 2°* *April* 7
Committee*; Report *April* 24
Considered* *April* 28
Read 3°* *April* 29
l. Read 1ª* (*Marquess of Lansdowne*) *May* 1
Read 2ª* *May* 12 (No. 87)
Committee*; Report *May* 13
Read 3ª* *May* 15
Royal Assent *May* 26 [36 *Vict.* c. xlii]

Gas and Water Provisional Orders Confirmation (No. 2) Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Ordered; read 1°* *May* 5 [Bill 149]
Read 2°* *May* 8

Gas Companies Bills—Price of Coal and Gas
Observations, Lord Redesdale; Reply, Earl Granville; short debate thereon *May* 5, 1459

GAVIN, Major G., *Limerick*
Agnew, Captain Charles, Assassination of, 1683

General Valuation (Ireland) Bill
(*Mr. Baxter, The Marquess of Hartington*)
c. Moved, "That the Bill be now read 2°" *May* 5, 1535
Amendt. to leave out "now," and add "upon this day six months" (*The O'Conor Don*); after short debate, Question put, "That 'now' &c.;" A. 198, N. 45; M. 153; main Question put, and agreed to; Bill read 2° [Bill 64]

GILPIN, Mr. C., *Northampton Bo.*
Railway and Canal Traffic, Comm. *cl.* 4, 373

GLADSTONE, Right Hon. W. E. (First Lord of the Treasury), *Greenwich*
Board of Education (Ireland)—O'Keeffe, Rev. Mr., 1720, 1770; Motion for a Committee, 2053, 2054
Central Asia, Motion for an Address, 874
Currency—Bank Act, Res. 155
Customs and Inland Revenue, Comm. Schedule A, 1689

[*cont.*

GLADSTONE, Right Hon. W. E.—*cont.*
East India Finance Committee—Second Report, 1874, 1875
East India (Financial Statement), Res. 416
Ecclesiastical Commissioners, 1294
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for a Committee, 1892
France—Commercial Treaty, 1860, 529
Ireland — Irish Railways, Purchase of, Res. 1157, 1182
Irish Church Act—National Monuments, 1489
Local Taxation, 798
Master of the Rolls, Office of, 647, 899
Metropolis—Parks—Bathing Accommodation, 1029
Occasional Sermons, 2R. 1973
Oxford University—Professorship of Pastoral Theology, 401
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 287
Parliament—Questions, &c.
  Breach of Privilege—"Pall Mall Gazette," Res. 540
  Business of the House, 7
  Election of Representative Peers (Scotland and Ireland), 313
  Electoral Power, Distribution of, Res. 1575
  Order of Business, 226
  Public Business, 634, 1141, 1789, 1790
  Whitsuntide Recess, 1790, 1791
Parliament—Easter Vacation, Motion for Adjournment, 650, 651
Parliament—Business of the House, Motion for a Committee, 239
Prison Ministers Committee, 1870, 297
Russia—Crimean Cemeteries, 530
Spain—Carlists, Subscriptions for the, 633
  International Law, 896
Superannuation Act Amendment, Comm. *cl.* 1, 1706, 1707
Supply, 399
  Charity Commission, 1014, 1015
  Constabulary Force (Ireland), 1778
  Court of Chancery, 1774
  Criminal Proceedings (Scotland), 1777
  Lord Privy Seal, 1792
Treasury and Post Office—Alleged Misappropriation of Funds, 101
Treaty of Washington, 1445, 1446, 1449
United States—The Geneva Award, 17
University Tests (Dublin) (No. 2), 305, 307
University Tests (Dublin) (No. 3), 2R. 768; Comm. *cl.* 2, 1532
Ways and Means, Report, 910, 1033, 1064, 1084, 1104, 1371, 1385
  Sugar Duties Resolutions, 801

GOLDNEY, Mr. G., *Chippenham*
Local Taxation, Motion for a Committee, 1837
Railway and Canal Traffic, Comm. 357; *cl.* 4, 374; *cl.* 10, 380
Rating (Liability and Value) — Valuation—Consolidated Rate, Leave, 1514
Register for Parliamentary and Municipal Electors, Re-comm. 719; *cl.* 9, 961; *cl.* 10, 1691
Supply, Harbours, &c. 787
  Wellington Monument, 788, 789
University Tests (Dublin) (No. 2), 305
Women's Disabilities, 2R. 1252

Goldsmid, Mr. J., *Rochester*
  Ireland—Irish Railways, Purchase of, 976; Res. Amendt. 1150, 1187
  Register for Parliamentary and Municipal Electors, Comm. *cl.* 9, 961
  Supply—New Courts of Justice, &c. 793
    Wellington Monument, 789

Gordon, Right Hon. E. S., *Glasgow, &c. Universities*
  Conveyancing (Scotland), 2R. 962; Comm. Amendt. 1695; *cl.* 2, 1841; Motion for reporting Progress, 1842; *cl.* 3, Amendt. *ib.*
  Education (Scotland), Board of, 1406
    Examination of Teachers, 401, 649
  Entailed and Settled Estates (Scotland), 2R. 1541

Gore, Mr. W. R. Ormsby-, *Leitrim Co.*
  Ireland—Irish Railways, Purchase of, Res. 1172
  Juries (Ireland) Act, Motion for a Committee, 321

Goschen, Right Hon. G. J. (First Lord of the Admiralty), *London*
  Army—Reliefs — North America and West Indies, 13
  Mercantile Marine—Straits of Magellan, 605
  Navy—Questions, &c.
    "Britannia" Training Ship, 1138, 1139
    Good Service Pensions, 524
    Greenwich Pensioners, 519
    Half Pay of Officers, 24, 31, 32
    H.M.S. "Devastation," 579, 582, 589
    Navigation, System of, 346
    Retirement, 1293
  Navy—Naval Reserves, Motion for a Committee, 557
  Navy—Seamen and Marines, Motion for reporting Progress, 590
  Navy Estimates—Men and Boys, 32, 48, 72, 75, 77, 79, 87
    Postponement of Motions, 20
  Parliament—Order of Business, 225, 226, 227
    Public Business, 1790
  Venus, Transit of, 110
  Ways and Means, Report, 1098, 1103

Gower, Lord R. S. Leveson- *Sutherland*
  Egypt—Sir Samuel Baker, 19

Granville, Earl (Secretary of State for Foreign Affairs)
  Elementary Education Provisional Order Confirmation (No. 1), Comm. 1672, 1673
  Gas Companies—Coal and Gas, Price of, 1462
  Improvement of Land, Motion for a Committee, 509
  Investment of Capital in Land, Motion for a Committee, 294
  Parliament—Easter Recess, 91
  Persia—Railways and Telegraphs in, 518
  Supreme Court of Judicature, Re-comm. *cl.* 6, 1289
  University Tests (Dublin), 2R. 1867
  Zanzibar—Sir Bartle Frere's Mission, Motion for Correspondence, 1780

Gray, Sir J., *Kilkenny Bo.*
  Ireland—M'Aleese, Mr., Imprisonment of, 1001
  Supply—Constabulary Force (Ireland), 1778
    Public Works in Ireland, 1004
  University Tests (Dublin) (No. 3), 2R. 760; Comm. 1526

Greaves, Mr. E., *Warwick*
  Ordnance Survey, 1483

Greene, Mr. E., *Bury St. Edmunds*
  Register for Parliamentary and Municipal Electors, Re-comm. Motion for Adjournment, 718, 719
  Ways and Means—Financial Statement, Comm. 685, 955
  Women's Disabilities, 2R. 1257

Gregory, Mr. G. B., *Sussex, E.*
  Locomotives on Roads, 2R. Amendt. 884
  Mastership of the Rolls, 899
  Railway and Canal Traffic, Comm. *cl.* 4, 372, 373; *cl.* 10, 377, 380; *cl.* 20, Motion for reporting Progress, 386; *cl.* 33, 595; *add. cl.* 597
  Rating (Liability and Value) — Valuation — Consolidated Rate, Leave, 1515
  Register for Parliamentary and Municipal Electors, Re-comm. *add. cl.* 1694; Schedule 2, Amendt. 1695
  Sanitary Acts—Mineral Works, 726
  Superannuation Act Amendment, Comm. *cl.* 1, 1705
  Taxes on Locomotion, Res. 442
  Ways and Means—Financial Statement, Comm. 705

Gretton Chapel Marriages Legalization Bill (*Mr. Yorke, Mr. Monk*)
  c. Ordered; read 1°* *Mar* 31 [Bill 111]
  Read 2°* *April* 2
  Committee*; Report *April* 21
  Read 3°* *April* 23
  l. Read 1ª* (*Bishop of Gloucester*) *April* 24
  Read 2ª* *May* 13 (No. 77)
  Committee*; Report *May* 15

Grey, Earl
  Australian Colonies (Customs Duties), 2R. 2000, 2011
  Elementary Education Provisional Order Confirmation (No. 1), Comm. 1673
  Gas Companies—Coal and Gas, Price of, 1461
  Improvement of Land, Motion for a Committee, 512
  Railway and Canal Traffic, Comm. *cl.* 19, 1848
  Supreme Court of Judicature, Re-comm. *cl.* 6, 1290
  University Tests (Dublin), 2R. 1851

Grey, Right Hon. Sir G., *Morpeth*
  Infanticide Law Amendment, 2R. 1986

Grieve, Mr. J. J., *Greenock*
  Portugal—Commercial Tariff, 1029
  Sugar Duties—International Conference, 1864, 347, 527
  Ways and Means—Financial Statement, Comm. 688

GUEST, Mr. A. E., *Poole*
Suez Canal—Augmentation of Dues, Res. 460
Tichborne Trial, 1405

HALIFAX, Viscount (Lord Privy Seal)
Alderney (Harbour and Fortifications), Report, 332
Navy—H.M.S. "Devastation," 340

HAMBRO, Mr. C. J. T., *Weymouth and Melcombe Regis*
Mercantile Marine—Balbriggan, Lifeboat at, 900
"Druid," The, 223
Unseaworthy Ships, 103, 104

HAMILTON, Right Hon. Lord C., *Tyrone Co.*
Army—Militia Adjutants (Ireland), 14
Ireland—Irish Railways, Purchase of, 976; Res. 1141
Permissive Prohibitory Liquor, 2R. 1644
Supply—Houses of Parliament, 783

HAMILTON, Lord C. J., *Lynn Regis*
Harbours of Refuge, Motion for a Committee, 1406, 1419
Juries (Ireland) Acts, 9
Scotland—Dumfries—Hannahfield Estate, 224

HAMILTON, Lord G. F., *Middlesex*
Treaty of Washington, 1426, 1440, 1452
Ways and Means, Report, 1342, 1384

HAMILTON, Mr. J. G. C., *Lanarkshire, S.*
Supply—Queen's and Lord Treasurer's Remembrancer, 1454

Harbours of Refuge
Amendt. on Committee of Supply *May* 2, To leave out from "That," and add "a Select Committee be appointed to inquire into the loss of life and property on the North East coast, and report on the best means of averting the same" (*Lord Claud John Hamilton*) *v.*, 1406; Question proposed, "That the words, &c.;" after debate, Question put; A. 109, N. 95; M. 14

HARCOURT, Mr. W. Vernon, *Oxford City*
Licensing Act, 1872—Standard of Value, 1873
Supply, 399
United States—Geneva Award, 17

HARDINGE, Viscount
Palace of Westminster—Frescoes in Royal Gallery, 1869

HARDY, Right Hon. Gathorne, *Oxford University*
Infanticide Law Amendment, 2R. 1985
Juries, Comm. *cl.* 1, 2071
Metropolis—Central London Sick Asylum, 1295
Rating (Liability and Value)—Valuation—Consolidated Rate, Leave, 1519, 1520
Register for Parliamentary and Municipal Electors, Comm. *cl.* 9, 961
Seduction Laws Amendment, 2R. 482

HARDY, Mr. J. Stewart, *Rye*
Ways and Means, Report, 918

HARROWBY, Earl of
Elementary Education Provisional Order Confirmation (No. 1), Comm. 1672
Supreme Court of Judicature, 3R. 1475

HARTINGTON, Right Hon. Marquess of (Chief Secretary for Ireland), *New Radnor*
Board of Education (Ireland)—O'Keeffe, Rev. Mr., 1140; Motion for a Committee, 2023, 2027, 2034
Ireland—Questions, &c.
  Civil Service, Reports of Commissioners, 527
  Coroners, 1490
  Fisheries, 973
  Galway Magistracy—Case of Mr. Dickson, 15
  Judicial Bench—Justice Lawson, Mr., Libels upon, 1297
  M'Aleese, Mr., Imprisonment of, 1002
Juries (Ireland) Acts, 9; Motion for a Committee, 322; Nomination of Committee, 604
Peace Preservation (Ireland), 2R. 2054, 2070
Supply—Constabulary Force (Ireland), 1778
  Household of Lord Lieutenant of Ireland, 1457
University Tests (Dublin) (No. 3), Comm. *cl.* 3, 1533

HATHERLEY, Lord
Land Titles and Transfer, 1R. 1135
Supreme Court of Judicature, Re-comm. *cl.* 5, 1280

HAY, Rear-Admiral Sir J. C. D., *Stamford*
Africa—West Coast Settlements—Ashantee Invasion, 970
Merchant Shipping Act—"Eleanor," The, 641
Merchant Shipping Act—Rules of the Road at Sea, Res. 250
Navy—Half Pay of Officers, 27
  H.M.S. "Devastation," 577, 586
Navy Estimates—Men and Boys, 50, 56, 87
Parliament—Order of Business, 227
  Public Business, 1790

HEADLAM, Right Hon. T. E., *Newcastle-upon-Tyne*
Trades Unions—Amalgamated Society of Engineers, 220

Heligoland, Gambling Houses at
Question, Mr. W. O. Stanley; Answer, Mr. Knatchbull-Hugessen *May* 13, 1871

HENLEY, Right Hon. J. W., *Oxfordshire*
Railway and Canal Traffic, Comm. 368

Henry, Mr. Mitchell, *Galway Co.*
Galway Election Petitions, Trials of, Res. 989
Parliament—Breach of Privilege—"Pall Mall Gazette," Res. 533
Peace Preservation (Ireland), 2R. 2060
University Tests (Dublin), Withdrawal of Bill, 304
University Tests (Dublin) (No. 3), 2R. Amendt. 732; Comm. 1529

Herbert, Right Hon. Major-General Sir Percy E., *Shropshire, S.*
Army Fine Fund, 1760

Herbert, Hon. Auberon E. W. M., *Nottingham Bo.*
Metropolis Buildings Act Amendment, 2R. 504
Metropolitan Police—Goodchild, Constable, 643
Nottingham—Police Interference with Political Placards, 974
Parks Regulation Act—Meetings in the Parks, Motion for an Address, Amendt. 271
Professorship of Pastoral Theology, Oxford, 401
University Fellowships (Compensation), Leave, 801
Ways and Means — Financial Statement, Comm. 707
Wild Birds Protection, Motion for a Committee, 1187

Herbert, Mr. H. A., *Kerry Co.*
Ireland—Irish Railways, Purchase of, Res. 1184

Hermon, Mr. E., *Preston*
Customs and Inland Revenue, Comm. 1686; *cl.* 4, 1688
Ways and Means, Report, Motion for Adjournment, 920, 921; Comm. 958

Heron, Mr. D. C., *Tipperary Co.*
Juries (Ireland) Act, Motion for a Committee, 318
University Tests (Dublin) (No. 2), 306
University Tests (Dublin) (No. 3), 2R. 742
Valuation Department (Ireland), Res. 432
Women's Disabilities, 2R. 1248

Heygate, Sir F. W., *Londonderry Co.*
General Valuation (Ireland), 2R. 1539

Heygate, Mr. W. U., *Leicestershire, S.*
Burials, 2R. 197
Railway and Canal Traffic, Comm. *add cl.* 596
Russia—Crimean Cemeteries, 529
Supply—Home Department and Subordinate Offices, 1007
  Privy Council for Trade, &c. 1011

Hibbert, Mr. J. T. (Secretary to the Poor Law Commissioners), *Oldham*
Elementary Education Act—Puttenham School Rates, 1782
Local Taxation, Motion for a Committee, 1840
[*cont.*

Hibbert, Mr. J. T.—*cont.*
Metropolis—Central London Sick Asylum, 1296
Public Health, 2R. 1665
Public Health Act—Epping Drainage District, 1872
  Salaries, 1873
Register for Parliamentary and Municipal Electors, Comm. 292; Re-comm. *cl.* 3, 793, 795; *cl.* 7, Amendt. 960, 961; *cl.* 9, 1690, 1691; Schedule 1, 1695
Sanitary Acts—Mineral Works, 726
Supply—Local Government Board, 1017, 1018, 1020, 1021

Hill, Mr. A. Staveley, *Coventry*
Conveyancing (Scotland), Comm. 1699

Hoare, Sir H. A., *Chelsea, &c.*
Wild Birds Protection, Motion for a Committee, 1187

Hogg, Colonel J. M., *Truro*
Charing Cross and Victoria Embankment Approach, Consid. 2017

Holker, Mr. J., *Preston*
Infanticide Law Amendment, 2R. 1984
Local Taxation—Criminal Prosecutions, Cost of, 1788

Holms, Mr. J., *Hackney*
Metropolis—Parks—Bathing Accommodation, 1028
Post Office—Cape of Good Hope, Conveyance of Mails to, 1488

Hood, Captain Hon. A. W., *Somerset, W.*
Army—Yeomanry Adjutants, 522

Hope, Mr. A. J. Beresford, *Cambridge University*
Canonries, 2R. 878
Endowed Schools Commissioners — Emanuel Hospital School, Motion for an Address, 1886
Parliament—Whitsuntide Recess, 1790
University Fellowships (Compensation), Leave, 809
University Tests (Dublin) (No. 3), Comm. *cl.* 2, 1532
Women's Disabilities, 2R. 1236

Horsman, Right Hon. E., *Liskeard*
Mercantile Marine—"Sea Queen," Loss of the, 105

Houghton, Lord
Railway and Canal Traffic, 2R. 1552; Comm. *cl.* 10, 1845; *cl.* 12, Amendt. 1846

Hughes, Mr. T., *Frome*
Burials, 2R. 184
India—Banda and Kirwee Prize Money, 99
Occasional Sermons, 2R. 1971

HUNT, Right Hon. G. W., *Northamptonshire, N.*
Army Fine Fund, 1757, 1760
East India Finance Committee, Second Report, 1875
Infanticide Law Amendment, 2R. 1987
Parliament—Business of the House, Motion for a Committee, 239
Register for Parliamentary and Municipal Electors, Comm. 292; Re-comm. 717, 719; *cl.* 3, 794; *cl.* 9, Motion for reporting Progress, 962
Supply—Court of Chancery, 1773, 1774
  Natural History Museum, 790
  New Courts of Justice, &c. 792
Valuation Department (Ireland), Res. 427, 428
Ways and Means—Financial Statement, Comm. 670, 713, 921, 1319
Ways and Means—Sugar Duties Resolutions, 801

ILLINGWORTH, Mr. A., *Knaresborough*
Occasional Sermons, 2R. 1979

Improvement of Land—Limited Owners
Moved, "That a Select Committee be appointed to inquire into the facilities afforded by the existing law to limited owners of land for the investment of capital in the improvement of such land, and to report whether any alteration of the law is requisite in order further to encourage such investment" (*The Marquess of Salisbury*) *April* 3, 506; after short debate, Motion agreed to; Select Committee appointed; List of the Committee, 517

Income Tax
Notice of Motion, "That a Select Committee be appointed to inquire into the incidence, management, and collection of the Income Tax; with power to report on the amendments required, or the advisability of repealing the Tax" (*Mr. Chadwick*) *Mar* 25, 157; [House counted out]

Income Tax Assessment Bill
(*Mr. Baxter, Mr. William Henry Gladstone*)
c. Read 2° * *Mar* 27 [Bill 98]
Committee *; Report *Mar* 28
Read 3° * *Mar* 31
l. Read 1ª * (*Marquess of Lansdowne*) *April* 1
Read 2ª *; Committee negatived; read 3ª *April* 3 (No. 55)
Royal Assent *April* 4 [36 *Vict.* c. 8]

INDIA
Banda and Kirwee Prize Money, Question, Mr. T. Hughes; Answer, Mr. Grant Duff *Mar* 25, 99; Question, Lord Elcho; Answer, Mr. Grant Duff *Mar* 27, 222; Question, Colonel North; Answer, Mr. Grant Duff *April* 7, 646; Question, Mr. W. M. Torrens; Answer, Mr. Grant Duff *May* 5, 1485
Education, Question, Mr. Stapleton; Answer, Mr. Grant Duff *April* 28, 1024
H.M. Roman Catholic Servants, Question, Mr. O'Reilly; Answer, Mr. Grant Duff *May* 5, 1484
[*cont.*

INDIA—*cont.*
Railway Gauge—The Punjaub Lines, Question, Sir Charles Wingfield; Answer, Mr. Grant Duff *April* 7, 637; *April* 28, 1028
The Burmese Embassy, Question, Mr. Eastwick; Answer, Mr. Grant Duff *April* 24, 904

India — Communication with — Euphrates Valley Railway
Amendt. on Committee of Supply *April* 4, To leave out from "That," and add "in the opinion of this House, the evidence laid before the Select Committee on the Euphrates Valley Railway last Session demonstrates the great advantages, both politically and commercially, that would accrue to England by the acquisition of an alternative route to and from India, especially in case of any emergency arising, and that this object would be best secured by a Railway which would connect the Mediterranean with the head of the Persian Gulf; and, therefore, the Recommendation of the Select Committee on this subject to Her Majesty's Government is well deserving of their serious attention, with a view to carrying it into effect" (*Sir George Jenkinson*) *v.*, 606; Question proposed, "That the words, &c.;" after debate, Question put; A. 103, N. 29; M. 74

India—Financial Statement
Moved, "That, in the opinion of this House, it is desirable that the Statement of the Financial Affairs of India should be made at a period of the Session when it can be fully discussed" (*Mr. Robert Fowler*) *April* 1, 402
Amendt. to leave out from "That," and add "it be an Instruction to the Select Committee on East India Finance to consider and report whether the Indian Financial year which now terminates on the 31st March, should be altered to the year ending on the 31st December, in order that the Secretary of State for India may be enabled to make his Financial Statement to the House before the Easter Recess" (*Sir Charles Wingfield*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put; A. 89, N. 130; M. 41; words added; main Question, as amended, put, and agreed to

Infanticide Law Amendment Bill
(*Mr. Charley, Mr. Gilpin, Mr. Charles Lewis*)
c. Bill read 2°, after short debate *May* 14, 1981 [Bill 42]

Intestates Widows and Children Bill [H.L.]
c. Read 1° * *April* 2 [Bill 114]
Read 2° * *April* 23

Investment of Capital in Land
Moved, "That a Select Committee be appointed to inquire into the facilities afforded by the existing law for the investment of capital in the improvement of land, and to report whether any alteration of the law is requisite in order further to encourage such investment" (*The Marquess of Salisbury*) *Mar* 28, 294; after short debate, Motion postponed

IRELAND

Belfast Assizes—Case of Mr. M'Aleese, Question, Sir John Gray; Answer, Mr. Winterbotham *April* 7, 650; Observations, Sir John Gray; Reply, The Marquess of Hartington *April* 25, 1001

Board of Works (*Ireland*), Question, Mr. M'Carthy Downing; Answer, Mr. Baxter *April* 3, 526

Civil Service (*Ireland*)—*Reports of the Commissioners*, Question, Mr. Plunket; Answer, The Chancellor of the Exchequer *Mar* 24, 11; Question, The O'Conor Don; Answer, The Chancellor of the Exchequer *Mar* 31, 345; Question, Mr. M'Carthy Downing; Answer, The Marquess of Hartington *April* 3, 526

Coroners (*Ireland*), Question, Mr. Vance; Answer, The Marquess of Hartington *May* 5, 1490

Dublin University—10 *Geo. IV. Chap.* 7, Question, Mr. P. J. Smyth; Answer, The Attorney General *April* 3, 529

Fisheries (*Ireland*), Question, Mr. Butt; Answer, The Marquess of Hartington *April* 25, 972

Galway Magistracy—Case of Mr. Dickson, Question, Colonel Cole; Answer, The Marquess of Hartington *Mar* 24, 15

Judicial Bench (*Ireland*)—*Libels upon Mr. Justice Lawson*, Question, Viscount Crichton; Answer, The Marquess of Hartington *May* 1, 1297

The River Shannon, Question, Major Trench; Answer, The Chancellor of the Exchequer *Mar* 31, 348

Valuation Department (*Ireland*)—See that title

Ireland—Galway Election Petition—Trial of Election Petitions

Amendt. on Committee of Supply *April* 25, To leave out from "That," and add "in the opinion of this House, the present system of trying Election Petitions is unsatisfactory and requires alteration" (*Mr. O'Conor*) *v.*, 977; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to

Ireland—National Education Commissioners—The Callan Schools—Dismissal of Rev. Robert O'Keeffe

Question, The Marquess of Hartington; Answer, Mr. Bouverie *April* 29, 1140; Question, Mr. Bouverie; Answer, Mr. Gladstone *May* 9, 1720; Question, Colonel Taylor; Answer, Mr. Gladstone *May* 9, 1770

Moved, "That a Select Committee be appointed to inquire into and report to the House the circumstances of the dismissal by the Commissioners of National Education in Ireland, of the Reverend Robert O'Keeffe from the office of Manager of the Callan Male, Female, and Infant National Schools, and the Newtown and Coolagh National Schools, by their Order the 23rd day of April 1872, and of the removal of the said Schools from the Roll of National Schools by their Order the 7th day of January 1873" (*The Marquess of Hartington*) *May* 15, 2023

[*cont.*

Ireland—National Education Commissioners—cont.

Amendt. to leave out from "That," and add "this House, having partly already before it, and having partly ordered to be laid before it, Copies of all Minutes and Proceedings, and of all Correspondence of the Board of National Education in Ireland, relating to the Schools at Callan or to the Reverend Robert O'Keeffe, do pass to the Orders of the Day" (*Mr. Bouverie*) *v.*; after long debate, Question put, "That the words, &c.;" A. 159, N. 131; M. 28; main Question put, and agreed to; Select Committee appointed; List of the Committee, 2054

Irish Church Act—National Monuments

Question, Mr. Agar-Ellis; Answer, Mr. Gladstone *May* 5, 1489

Irish Railways—Purchase by the State

Question, Mr. Goldsmid; Answer, Lord Claud Hamilton *April* 25, 976

Moved, "That this House, whilst expressing no opinion on the subject of State ownership or State management of Railways in other parts of the Empire, is of opinion that it is desirable (having regard to the universally expressed wishes and wants of the Irish people) that the Railways in Ireland should be acquired on equitable terms by the State, with a view to their management being conducted in the interests of the public: this measure to be carried out in such a way as not to involve any loss to the finances of the Empire" (*Lord Claud Hamilton*) *April* 29, 1141

Amendt. to leave out from "That," and add "the purchase of the Irish Railways by the State would be financially inexpedient, would unduly enlarge the patronage of the Government, and seriously increase the pressure of business in Parliament" (*Mr. Goldsmid*) *v.*; Question proposed, "That the words, &c.;" after long debate, Amendt. withdrawn; main Question put; A. 65, N. 197; M. 132

JACKSON, Mr. R. Ward, *Hartlepool*

Harbours of Refuge, Motion for a Committee, 1426

JAMES, Mr. H., *Taunton*

Juries, Comm. *cl.* 1, 2072

Register for Parliamentary and Municipal Electors, Comm. *cl.* 5, 960; *cl.* 9, 961

JENKINSON, Sir G. S., *Wiltshire, N.*

India—Euphrates Valley Railway, Res. 606, 616

Infanticide Law Amendment, 2R. 1987

Ways and Means—Financial Statement, Comm. 681; Report, 919, 1334

JESSEL, Sir G., *see* SOLICITOR GENERAL, The

JOHNSTON, Mr. A., *Essex, S.*
Endowed Schools Commisioners — Emanuel Hospital Scheme, Motion for an Address, 1920, 1925
Rating (Liability and Value)—Valuation—Consolidated Rate, Leave, 1517

JOHNSTONE, Sir H., *Scarborough*
Harbours of Refuge, Motion for a Committee, 1421

JONES, Mr. J., *Carmarthenshire*
Post Office—Telegraph Department—Carmarthen District, 1557

Juries Bill
(*Mr. Attorney General, Mr. Solicitor General*)
c. Committee—R.P. *May* 15, 207 [Bill 35]

Juries (Ireland) Act
Amendt. on Committee of Supply *Mar* 28, To leave out from "That," and add "a Select Committee be appointed to inquire into the operation of the Act 34 and 35 Vic. c. 65, Juries (Ireland) Act, and whether it is necessary to amend the same in order to secure the due administration of justice" (*Mr. Bruen*) *v.*, 315 ; Question proposed, "That the words, &c. ;" after short debate, Amendt. withdrawn
Select Committee appointed, "to inquire and report on the working of the Irish Jury system before and since the passing of the Act 34 and 35 Vic. c. 65 ; and, whether any and what amendments in the Law are necessary to secure the due administration of justice" (*Mr. Bruen*) *Mar* 31 ; List of the Committee, 390
Nomination of the Committee, Question, Mr. Callan ; Answer, The Marquess of Hartington *April* 4, 604

Juries (Ireland) Acts
Questions, Mr. Vance, Lord Claud John Hamilton ; Answers, The Marquess of Hartington *Mar* 24, 9

Jury List Allowances—Magistrates' Clerks
Question, Colonel Brise ; Answer, Mr. Stansfeld *April* 3, 530

KAVANAGH, Mr. A. M., *Carlow Co.*
General Valuation (Ireland), 2R. 1537
Mercantile Marine—Unseaworthy Ships, 102
Ways and Means, Report, 1072

KIMBERLEY, Earl of (Secretary of State for the Colonies)
Africa—West Coast Settlements—Ashantee Invasion, 1393, 1396
Australian Colonies (Customs Duties), 2R. 1998, 2010
Bastardy Laws Amendment, Commons Amendts. 600

KINNAIRD, Hon. A. F., *Perth*
East India (Financial Statement), Res. 412, 415
Election of Representative Peers (Scotland and Ireland), 315
Supply—Secret Services, 1023

KNATCHBULL-HUGESSEN, Right Hon. E. H. (Under Secretary of State for the Colonies), *Sandwich*
Africa (West Coast)—Lagos, 972
Africa—West Coast Settlements—Ashantee Invasion, 970, 1560, 1719
Canada, Dominion of—Fisheries, 2018
  Manitoba, 1140
Heligoland, Gambling Houses at, 1871
Spain—"Lark," Sloop, The, 2023
Supply—Emigration, 1814
  Governors, &c., Colonies, 1809
Women's Disabilities, 2R. 1252

KNOX, Hon. Colonel W. Stuart, *Dungannon*
Army—Sandhurst College—Direct Commissions, 1025, 1026, 1027
Board of Education (Ireland)—O'Keeffe, Rev. Mr., Motion for a Committee, 2027, 2051, 2054
Juries (Ireland) Act, Motion for a Committee, 330
Post Office—Religious Periodicals, Registration of, 1786, 1787

LAING, Mr. S., *Orkney, &c.*
Currency—Bank Act, Res. 156
Ireland—Irish Railways, Purchase of, Res. 1185
Railway and Canal Traffic, Comm. *cl.* 10, 380, 382
Taxes on Locomotion, Res. 433, 450
Ways and Means—Financial Statement, Comm. 702, 945

Lancaster and Ulverston Sands
Question, Mr. Stanley ; Answer, Mr. Childers *May* 1, 1293

LANCASTER, Mr. J., *Wigan*
Railway and Canal Traffic, Comm. *cl.* 10, Amendt. 377 ; *cl.* 11, 383, 385 ; *cl.* 12, Amendt. 386

Land—See title *Improvement of Land*

Land—See title *Investment of Capital in Land*

Land Drainage Provisional Order Bill
(*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Read 2° * *Mar* 24 [Bill 97]
Committee * ; Report *April* 7
Read 3° * *April* 21
l. Read 1ª * (*Earl of Morley*) *April* 22
Read 2ª * *May* 6 (No. 70)
Committee * ; Report *May* 8
Read 3ª * *May* 9
Royal Assent *May* 15 [36 *Vict.* c. xxiv]

Landlord and Tenant Bill
Observations, Question, Lord Elcho; Reply, Mr. Clare Read *April* 7, 644

Land Rights and Conveyancing (Scotland) Bill (*Mr. Gordon, Mr. Charles Dalrymple, Sir Graham Montgomery*)
c. Ordered * *Mar* 31
Read 1° * *April* 1 [Bill 112]

Land Titles and Transfer Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª, after short debate *April* 29, 1116 (No. 85)

Lansdowne, Marquess of (Under Secretary of State for the War Department)
Artillery—Foreign Breech-loading Guns, 967, 968
Mutiny, Comm. 722, 723, 724
Portpatrick Harbour, 2R. 969; Comm. 1023

Lauderdale, Earl of
Africa—West Coast Settlements—Ashantee Invasion, 1392
Artillery—Foreign Breech-loading Guns, 965, 968
Improvement of Land, Motion for a Committee, 516
Mercantile Marine—Royal Commission, 94, 99
Navy—H.M.S. "Devastation," 332, 341

Law Agents (Scotland) Bill
(*The Lord Advocate, Mr. Adam*)
c. Ordered * *April* 30
Read 1° * *May* 5 [Bill 150]
Read 2° * *May* 12

Law and Justice
Bastardy Laws—Legislation, Question, Mr. Charley; Answer, Mr. Stansfeld *May* 8, 1680
Law Officers of the Crown—The Attorney General, Question, Mr. Raikes; Answer, The Chancellor of the Exchequer *Mar* 24, 14
Leamington Magistracy, The, Question, Lieutenant-Colonel Parker; Answer, Mr. Bruce *Mar* 25, 100
Marriage Law Improvement, Question, Mr. Salt; Answer, Mr. Bruce *Mar* 25, 99
Office of Master of the Rolls, Question, Sir David Wedderburn; Answer, Mr. Gladstone *April* 7, 647
The Master of the Rolls—Appeal, Question, Mr. Gregory; Answer, Mr. Gladstone *April* 24, 899
[See title *Criminal Law*]

Lawrence, Lord
Elementary Education Provisional Order Confirmation (No. 1), Comm. 1669, 1672

Lawrence, Alderman Sir J. C., *Lambeth*
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1905

Lawrence, Mr. Alderman W., *London*
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1941
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 9, Amendt. 1690
Supply—New Courts of Justice, &c. 792
Taxes on Locomotion, Res. 450
Ways and Means—Financial Statement, Comm. 701

Lawson, Sir W., *Carlisle*
Municipal Corporations Act—Devonport Watch Committee, 1783
Permissive Prohibitory Liquor, 2R. 1609, 1657, 1659
Ways and Means—Financial Statement, Comm. 675

Lea, Mr. T., *Kidderminster*
Board of Trade—Railway Returns (1872), 1487

Learmonth, Colonel A., *Colchester*
Army—Gunpowder, Contracts for, 901
Russia—Crimea, British Graves in the, 1762

Leatham, Mr. E. A., *Huddersfield*
Women's Disabilities, 2R. 1225

Leeman, Mr. G., *York*
Railway and Canal Traffic, Comm. *cl.* 3, 371; *cl.* 4, 372; *cl.* 7, 375; *cl.* 10, 376, 381, 383; *cl.* 22, 591, 592

Lefevre, Mr. J. G. Shaw (Secretary to the Board of Admiralty), *Reading*
Navy—Contract Prices, 519
Navy—Naval Reserves, Motion for a Committee, 559
Navy Estimates—Men and Boys, 84

Leigh, Lieut.-Colonel Egerton, *Cheshire Mid.*
Compulsory Education—Prisons Act, 1865, 520

Lennox, Lord H. G. C. G., *Chichester*
Navy—H.M.S. "Devastation," 567, 582, 589
Navy Estimates—Men and Boys, 43, 48, 55, 68, 75, 77, 86
Postponement of Motions, 20
Parliament—Order of Business, 225, 226

Lewis, Mr. C. E., *Londonderry*
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 287
Register for Parliamentary and Municipal Electors, Comm. 293; Re-comm. Amendt. 713; *cl.* 3, Amendt. 793; *cl.* 5, Amendt. 959; *cl.* 9, Amendt. 1690; *cl.* 12, Amendt. 1692; *cl.* 13, Amendt. *ib.*; *add. cl.* 1695; Schedule 1, *ib.*
Supply—Local Government Board, 1017

Lewis, Mr. Harvey, *Marylebone*
Post Office—Calais, Detention of Mails at, 1713

LEWIS, Mr. J. D., *Devonport*
Occasional Sermons, 2R. 1968

Licensing Act, 1872—*Standard of Value*
Question, Mr. Vernon Harcourt; Answer, Mr. Bruce *May* 13, 1873

LIDDELL, Hon. H. G., *Northumberland, S.*
Army Fine Fund, 1756
Mercantile Marine—Unseaworthy Ships, 104
Mercantile Marine—Lights in the Channel, Res. 1731
Merchant Shipping Act—Rules of the Road at Sea, Res. 254
Navy—Naval Reserves, Motion for a Committee, 553
Railway and Canal Traffic, Comm. *cl.* 11, 384
Supply—Telegraph Department, Report, 88
Ways and Means, Report, 919, 1313
Wild Birds Protection, Motion for a Committee, 1189

LINDSAY, Hon. Colonel C. H., *Abingdon*
Army—Reserve Forces, 800
Volunteer Officers, 1486

LINDSAY, Colonel R. J. Loyd, *Berkshire*
Army—City of London Volunteers—The Artillery Company's Drill Ground, Res. 814

Local Government Board—Inspectors and Health Officers
Question, Mr. Corrance; Answer, Mr. Stansfeld *Mar* 24, 18

Local Government Board (Ireland) Provisional Order Confirmation Bill
(*The Marquess of Hartington, Mr. Baxter*)
c. Ordered; read 1° * *April* 24 [Bill 139]
Read 2° * *April* 28
Committee *; Report *May* 9
Considered * *May* 12
Read 3° * *May* 13
l. Read 1ª * (*Marquess of Lansdowne*) *May* 15 (No. 115)

Local Government Provisional Orders (No. 2) Bill
(*Mr. Hibbert, Mr. Stansfeld*)
c. Ordered; read 1° * *May* 14 [Bill 163]

Local Legislation Bill
(*Mr. Heron, Mr. Serjeant Simon*)
c. Ordered; read 1° * *April* 23 [Bill 137]

Local Taxation
Question, Sir Massey Lopes; Answer, Mr. Gladstone *April* 22, 798
Cost of Criminal Prosecutions, Question, Mr. Holker; Answer, Mr. Baxter *May* 12, 1788
Exemption of Real Property, Questions, Sir John St. Aubyn, Sir Massey Lopes; Answers, Mr. Stansfeld *Mar* 24, 18

Local Taxation (Accounts) Bill
(*Mr. Pell, Sir Massey Lopes, Mr. Clare Read, Mr. Rowland Winn, Viscount Mahon*)
c. Committee *April* 1, 467 [Count out] [Bill 16]
Committee *; Report *April* 3 [Bill 22]

Local Taxation—Boundaries of Parishes, Unions, and Counties
Moved, "That a Select Committee be appointed to inquire and report whether the existing Areas and Boundaries of Parishes, Unions, and Counties may be so altered and adjusted as to prevent the inconvenience in matters of Local Administration and Taxation which now arises from the limited extent or subdivision of certain Parishes, or the overlapping of Parishes in two or more administrative areas, or from Parishes and Unions being situate in more than one County, with power to recommend whether any and, if so, what measures should be taken to give effect to their Report" (*Mr. Stansfeld*) *May* 12, 1819
After debate, Amendt. proposed, in line 3, after "Parishes," to insert "Municipal Boroughs" (*Mr. Samuelson*), 1834; Question proposed, "That those words be there inserted;" after further debate, Amendt. withdrawn; main Question put, and agreed to; Select Committee appointed; List of the Committee, 1841

LOCKE, Mr. J., *Southwark*
Metropolis Buildings Act Amendment, 2R. 499
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 4, 796; *cl.* 7, 960; *cl.* 9, 1691
Supply—Houses of Parliament, 783
Ways and Means, Report, 918

Locomotion, Taxes on
Moved, "That, in the opinion of this House, Taxes on the means of Locomotion are opposed to public policy, and should be repealed at the earliest opportunity" (*Mr. Laing*) *April* 1, 433; after debate, Question put, and negatived

Locomotives on Roads
Select Committee appointed, "to inquire into the effect of the use of Locomotive Engines on Turnpike and other Public Roads, and as to the limitations and restrictions which ought to be imposed by Law on their use upon such roads for securing the public safety and protecting the public interests" (*Mr. Cawley*) *April* 29; List of the Committee, 1193

Locomotives on Roads Bill
(*Mr. Cawley, Mr. Wykeham Martin, Mr. Frederick Stanley, Mr. Hick, Mr. Pender*)
c. Moved, "That the Bill be now read 2°" *April* 23, 883
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Gregory*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. and Motion withdrawn; Bill withdrawn

London, Bishop of
- Elementary Education Provisional Order Confirmation (No. 1), Comm. 1673
- Supreme Court of Judicature, 3R. 1481

Lopes, Sir Massey, *Devonshire, S.*
- Local Taxation—Exemption of Real Property, 18, 798
- Rating (Liability and Value)—Valuation—Consolidated Rate, Leave, 1509
- Ways and Means, Report, 1092, 1098, 1103

Lowe, Right Hon. R., *see* Chancellor of the Exchequer

Lowther, Mr. J., *York City*
- Juries, Comm. *cl.* 1, 2072
- Parks Regulation Act—Meetings in the Parks, Motion for an Address, 260, 287, 288

Lowther, Mr. W., *Westmoreland*
- Criminal Law—Ann Murray, Case of, 528
- Diplomatic Service—Attachés, Staff of, 1787
- Supply—Embassies and Missions Abroad, 1804

Lubbock, Sir J., *Maidstone*
- Ancient Monuments Preservation, 2R. 1607, 1608
- Army—City of London Volunteers—The Artillery Company's Drill Ground, Res. 810, 817
- Currency—Bank Act, Res. Amendt. 123, 156, 157
- Venus, Transit of, 110
- Ways and Means—Financial Statement, Comm. 694

Lush, Dr. J. A., *Salisbury*
- Public Health Act, 1872—Poor Law Inspectors, 524
- Ways and Means—Financial Statement, Comm. 686

Lusk, Mr. Alderman A., *Finsbury Bo.*
- Currency—Bank Act, Res. 154
- Navy—Naval Reserves, Motion for a Committee, 558
- Supply—Anstruther Harbour, 1003
  - British Embassy Houses, &c. 1006
  - Customs Department, 1818
  - Emigration, 1814
  - Governors, &c. Colonies, 1809
  - Houses of Parliament, 780, 782
  - Inland Revenue, 1819
  - Law Officers, &c. 1771
  - Lighthouses Abroad, 1005
  - Metropolitan Police Courts, 791
  - Privy Council for Trade, &c. 1010
  - Public Buildings, 778
  - Public Departments, 779
  - Queen's and Lord Treasurer's Remembrancer, 1454
  - Royal Parks, &c. 777
  - Tonnage Duties, &c. 1813

McArthur, Mr. W., *Lambeth*
- Africa—West Coast Settlements—Ashantee Invasion, 1719

McCombie, Mr. W., *Aberdeenshire, W.*
- Metropolis Buildings Act Amendment, 2R. 500

Macfie, Mr. R. A., *Leith, &c.*
- Customs and Inland Revenue, Comm. Schedule B, 1689
- France—Commercial Treaty, 1872, 636
- Locomotives on Roads, 2R. 888
- Merchant Shipping Act—"Maggie," The, 649
- Occasional Sermons, 2R. 1980
- Patent Rights—International Conference, 636
- Supply—Anstruther Harbour, 1003
  - Customs Department, 1818
  - Emigration, 1814
  - Government, &c. Colonies, 1809
  - Government Property, Rates on, 787
  - House of Commons, Offices of the, 1007
  - Inland Revenue, 1819
  - Natural History Museum, 790
  - Patent Office, 1021
  - Privy Council for Trade, &c. 1009
  - Queen's and Lord Treasurer's Remembrancer, 1454
- Ways and Means—Financial Statement, Comm. 693; Report, 919; Comm. 956

McLagan, Mr. P., *Linlithgowshire*
- Conveyancing (Scotland), 2R. 964

McLaren, Mr. D., *Edinburgh*
- Conveyancing (Scotland), Comm. 1699
- Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1929
- Entailed and Settled Estates (Scotland), 2R. 1542
- Ireland—Irish Railways, Purchase of, Res. 1169
- Rates for Church Repairs, &c. (Scotland), 645
- Supply—Learned Societies, 1795, 1796
  - Local Government Board, 1017
  - Privy Council for Trade, &c. 1010; Amendt. 1011
  - Public Works in Ireland, 1004
- University Tests (Dublin) (No. 3), Comm. *cl.* 3, 1534
- Ways and Means—Financial Statement, Comm. 682

McMahon, Mr. P., *New Ross*
- Post Office—Book Post, 647
  - Newspapers, 12

Magniac, Mr. C., *St. Ives*
- Ways and Means, Report, 1087

Mahon, Viscount, *Suffolk, E.*
- Russia—Khiva Expedition, 399

Malcolm, Mr. J. W., *Boston*
- Army—Gunpowder, Contracts for, 1680

Malmesbury, Earl of
- Mercantile Marine—Royal Commission, 97

MANNERS, Right Hon. Lord J. J. R., *Leicestershire, N.*
Supply—British Embassy Houses, &c. 1006
Privy Council for Trade, &c. 1011
Treaty of Washington, 1445, 1446
Women's Disabilities, 2R. 1229
Workshops Act, Res. 997

Marine Mutiny Bill (*Mr. Bonham-Carter, Mr. Goschen, Mr. Shaw Lefevre*)
c. Ordered * *Mar* 26
Read 1° * *Mar* 27
Read 2° * *Mar* 28
Committee *; Report *Mar* 31
Considered * *April* 2
Read 3° * *April* 3
l. Read 1ª * (*Earl of Camperdown*) *April* 3
Read 2ª * *April* 4
Committee *; Report *April* 21
Read 3ª * *April* 22
Royal Assent *April* 24 [36 *Vict.* c. 11]

Marriages (Ireland) Bill (*The Viscount Midleton*)
l. Bill read 2ª, after debate *Mar* 25, 91 (No. 40)
Committee *April* 24, 891
Report * *April* 29 (No. 75)
Read 3ª * *May* 2
Royal Assent *May* 15 [36 *Vict.* c. 16]

Marriages (Ireland) Legalization Bill [H.L.] (*The Marquess of Clanricarde*)
l. Presented; read 1ª * *May* 6 (No. 94)

Marriages Legalization, St. John's Chapel, Eton, Bill [H.L.] (*The Lord Bishop of Oxford*)
l. Presented; read 1ª * *May* 8 (No. 99)

Married Women's Property Act (1870) Amendment Bill (*Mr. Hinde Palmer, Mr. Amphlett, Mr. Osborne Morgan, Mr. Jacob Bright*)
c. Committee *—R.P. *Mar* 28 [Bill 7]
Committee *—R.P. *April* 25
Moved, "That the House do now go into Committee upon the said Bill" *May* 2, 1459 [House counted out]
Committee * *May* 5

MARTIN, Mr. P. Wykeham, *Rochester*
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 3, 795; *cl.* 9, 961
Supply—Houses of Parliament, 783

MASSEY, Right Hon. W. N., *Tiverton*
Ways and Means, Report, 1317

Matrimonial Causes Acts Amendment Bill (*Mr. Attorney General, Mr. Solicitor General*)
c. Ordered; read 1° * *Mar* 26 [Bill 101]
Read 2° * *Mar* 31
Committee *; Report *May* 8
Read 3° * *May* 9
l. Read 1ª * (*The Lord Chancellor*) *May* 12 (No. 105)

MATTHEWS, Mr. H., *Dungarvan*
Rome—Vansittart, Mr., Attack upon, 1489

Medical Act (1858) Amendment Bill (*Mr. Headlam, Sir Henry Selwin-Ibbetson*)
c. Ordered; read 1° * *April* 7 [Bill 127]

MELLOR, Mr. T. W., *Ashton-under-Lyne*
Superannuation Act Amendment, Comm. 1702
Supply — Superannuation Allowances, 1814, 1815

MELLY, Mr. G., *Stoke-upon-Trent*
Army—City of London Volunteers—The Artillery Company's Drill Ground, Res. 817
Mercantile Marine—Loss of the "Sea Queen," 105, 106
Railway and Canal Traffic, Comm. *cl.* 20, 387
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 3, 795
Taxes on Locomotion, Res. 449

Mercantile Marine
Collision with the "Northfleet"—The "Murillo," Question, Mr. T. E. Smith; Answer, Viscount Enfield *Mar* 31, 343
Distress Ship Signals, Question, Colonel Beresford; Answer, Sir Henry Storks *May* 12, 1785
Light at Portpatrick Harbour, Question, Mr. Agnew; Answer, Mr. Chichester Fortescue *Mar* 24, 8
Loss of Life at Sea—Issue of a Royal Commission, Question, Observations, The Earl of Lauderdale; Reply, Earl Cowper; short debate thereon *Mar* 25, 94; Question, Mr. Plimsoll; Answer, Mr. Chichester Fortescue *Mar* 28, 298; Question, Mr. T. E. Smith; Answer, Mr. Chichester Fortescue *April* 28, 1024
The "Knight Templar"—Explanation, Question, Mr. Rathbone; Answer, Mr. Chichester Fortescue *Mar* 27, 225
The Lifeboat at Balbriggan, Question, Mr. Hambro; Answer, Mr. Chichester Fortescue *April* 24, 900
The "Sea Queen," Question, Mr. Plimsoll; Answer, Mr. Chichester Fortescue *April* 7, 637
The Straits of Magellan, Question, Mr. Muntz; Answer, Mr. Goschen *April* 4, 605

Mercantile Marine—Lights in the Channel
Amendt. on Committee of Supply *May* 9, To leave out from "That," and add "it is expedient that fog signals, either steam whistles or guns, or both, be added to the lights on the Skerries Island, the Codling Bank, and the Tuskar Rock, and that the light on the Codling Bank be improved; also that a Royal Commission be appointed to inquire into the whole subject of fog signals before the desultory establishment of signals at various points makes it difficult to apply a proper system for the whole of our coasts" (*Mr. Eastwick*) *v.*, 1721; Question proposed, "That the words, &c.;" after debate, Question put, and agreed to

Merchant Shipping Act, 1871
  Cardiff Magistrates—Mr. Plimsoll, Question, Mr. Hussey Vivian; Answer, Mr. Bruce *May* 8, 1682; Question, Mr. Carter; Answer, Mr. Chichester Fortescue *May* 9, 1714; Explanation, Mr. Bruce *May* 12, 1784
  Case of the "Maggie," Question, Mr. R. W. Duff; Answer, Mr. Chichester Fortescue *Mar* 28, 299; Question, Mr. Macfie; Answer, Mr. Winterbotham *April* 7, 649
  Collision between the "C. M. Palmer" and "Larnax," Question, Mr. Montagu Chambers; Answer, Mr. Chichester Fortescue *April* 22, 800
  The "Druid," Question, Mr. Hambro; Answer, Mr. Chichester Fortescue *Mar* 27, 223
  The "Eleanor"—Mr. Plimsoll and the Board of Trade, Question, Mr. Plimsoll; Answer, Mr. Chichester Fortescue *April* 7, 639
  The "Hindoo" and "Parga," Questions, Mr. Plimsoll, Sir John Pakington; Answers, Mr. Chichester Fortescue *Mar* 24, 10
  The "Parga," Question, Mr. T. E. Smith; Answer, Mr. Chichester Fortescue *May* 1, 1297
  Unseaworthy Ships, Questions, Mr. Kavanagh, Mr. R. W. Duff, Mr. Hambro, Mr. Liddell; Answers, Mr. Chichester Fortescue, Mr. Bruce *Mar* 25, 102
  Wreck of the "Atlantic," Question, Mr. Crawford; Answer, Mr. Chichester Fortescue *April* 7, 647; Question, Sir John Pakington; Answer, Mr. Chichester Fortescue *April* 25, 973

Merchant Shipping Act—Rules of the Road at Sea
  Moved, "That, in the opinion of this House, other regulations are required, with a view to the better avoidance of the annual great loss of life and of property which is caused by the want of more stringent regulations on the subject" (*Mr. Bentinck*) *Mar* 27, 248; after debate, Question put, and negatived

Merchant Shipping Acts Amendment Bill (*Mr. Bonham-Carter, Mr. Chichester Fortescue, Mr. Arthur Peel*)
c. Considered in Committee; Bill ordered; read 1°, after short debate *May* 13, 1961 [Bill 162]

Metalliferous Mines Rating Bill (*Sir John St. Aubyn, Mr. Brydges Willyams, Mr. Arthur P. Vivian, Mr. Pease*)
c. Ordered; read 1°* *April* 7 [Bill 128]

METROPOLIS
  Central London Sick Asylum, Question, Mr. Gathorne Hardy; Answer, Mr. Hibbert *May* 1, 1295
  Hampton Court Green, Question, Sir Charles W. Dilke; Answer, Mr. Ayrton *Mar* 24, 8
  The Parks
  Bathing Accommodation, Question, Mr. Holms; Answer, Mr. Gladstone *April* 28, 1028
  The Green Park, Question, Mr. Brady; Answer, Mr. Ayrton *April* 29, 1137
  [See title *Parks Regulation Act*]
  The Price of Gas, Question, Sir Charles W. Dilke; Answer, Mr. Chichester Fortescue *Mar* 27, 221

Metropolis Buildings Act Amendment Bill (*Dr. Brewer, Mr. W. M. Torrens, Mr. M'Arthur, Mr. Locke*)
c. Moved, "That the Bill be now read 2°" *April* 2, 483
  Amendt. to leave out "now," and add "upon this day six months" (*Mr. Francis Powell*); Question proposed, "That 'now,' &c.;" after debate, Amendt. and Motion withdrawn; Bill withdrawn [Bill 54]

Metropolitan Commons Supplemental Bill (*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Ordered; read 1°* *Mar* 27 [Bill 107]
  Read 2°* *Mar* 31
  Referred to Select Committee* *April* 21
  Report* *May* 6 [Bill 153]
  Committee* (*on re-comm.*); Report *May* 9
  Read 3°* *May* 12
l. Read 1ª* (*E. of Morley*) *May* 13 (No. 110)

Metropolitan Tramways Provisional Orders Bill
  Order [7th March] that the Metropolitan Tramways Provisional Orders Bill be committed to a Select Committee read, and discharged
  Select Committee appointed, "to consider the schemes contained in the Metropolitan Tramways Provisional Orders Bill of this Session, and to report whether, in their opinion, it is desirable that all or any of the proposed lines of Tramways should be constructed within the Metropolitan area under the jurisdiction respectively of the Corroration of the City of London and the Metropolitan Board of Works" (*Mr. Arthur Peel*) *Mar* 24; List of the Committee, 90

Metropolitan Tramways Provisional Orders (No. 2) Bill (*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Committee*; Report *May* 12 [Bill 77]
  Read 3°* *May* 13
l. Read 1ª* (*Earl Cowper*) *May* 15 (No. 114)

MIDLETON, Viscount
  Marriages (Ireland), 2R. 91; Comm. 892

MILLER, Mr. J., *Edinburgh City*
  Post Office—Edinburgh Sorters, 1678, 2022
  Supply—Learned Societies, 1796
    Survey of the United Kingdom, 786

MINTO, Earl of
  Constabulary (Scotland) Superannuation, 1710

MONCKTON, Mr. F., *Staffordshire, W.*
  Army—Yeomanry Cavalry—Horse Duty, 2022

MONK, Mr. C. J., *Gloucester City*
  Ecclesiastical Commissioners, 1294
  Juries, Comm. *cl.* 1, Amendt. 2071
  Railway and Canal Traffic, Comm. *cl.* 4, Amendt. 371, 372; *cl.* 7, 375; *cl.* 10, Amendt. 379; *cl.* 11, 384; *cl.* 33, 596

[*cont.*

Monk, Mr. C. J.—*cont.*
  Supply—Charity Commission, 1014
    Civil Service Commission, 1016
    Court of Chancery, 1773
    Criminal Proceedings, Scotland, 1777
    Houses of Parliament, 781
    Miscellaneous Expenses, Amendt. 1818
    Privy Council for Trade, &c. 1013
    Public Works in Ireland, 1004
    Secret Services, 1023

Monsell, Right Hon. W. (Postmaster General), *Limerick Co.*
  Post Office—Questions, &c.
    Argentine Republic, Postal Arrangements with, 904
    Book Post, 647
    Calais, Detention of Mails at, 1713
    Edinburgh Sorters, 1678, 2022
    Glasgow Post Office, 903
    Newspapers, 12
    Religious Periodicals, Registration of, 1786, 1787
    Savings Bank Account, 604
    Telegrams between France and England, 1292
    Telegrams in French, 1140
    Telegrams to Foreign Countries, 901
    Telegraph Act, 1869—Compensations, 345
    Telegraph Department—Capital Expenditure, 1558 ;—Carmarthen District, *ib.* ;—Purchase of the Midland Railway System, 976
    Telegraph Extensions, Expenditure for, 645

Morgan, Mr. G. Osborne, *Denbighshire*
  Burials, *2R. 158, 172, 210
  Railway and Canal Traffic, Comm. *cl.* 22, 592
  Superannuation Act Amendment, Comm. *cl.* 1, 1705 ; Amendt. 1706, 1707
  University Tests (Dublin) (No. 3), Comm. *cl.* 3, 1534

Morley, Earl of
  Constabulary (Scotland) Superannuation, 1710
  Registration of Births and Deaths, 2R. 892, 895 ; Comm. 1667
  Vagrants Law Amendment, 2R. 2012

Morley, Mr. S., *Bristol*
  Burials, 2R. 193

Morrison, Mr. W., *Plymouth*
  University Tests (Dublin) (No. 2), 308

Mundella, Mr. A. J., *Sheffield*
  Agricultural Children, 3R. Amendt. 1708
  Currency—Bank Act, Res. 123, 151
  Permissive Prohibitory Liquor, 2R. 1654
  Railway and Canal Traffic, Consid. *cl.* 10, Amendt. 720
  Seduction Laws Amendment, 2R. 475
  Supply—British Museum, 1795
  Workshops Act, Res. 995

Municipal Corporations Act—The Devonport Watch Committee
  Question, Sir Wilfrid Lawson ; Answer, Mr. Bruce *May* 12, 1783

Municipal Corporations (Borough Funds) Act
  Question, Mr. Rathbone ; Answer, Mr. Bruce *Mar* 25, 105

Municipal Corporations Evidence Bill
  (*Mr. Hinde Palmer, Mr. Watkin Williams*)
c. Ordered ; read 1° * *May* 7 [Bill 155]
  Read 2° * *May* 14

Municipal Franchise (Ireland) Bill
  (*Mr. Butt, Mr. Patrick Smyth*)
c. Bill read 2°, after short debate *April* 23, 889 [Bill 73]

Municipal Officers Superannuation Bill
  (*Mr. Rathbone, Mr. Massey, Mr. Birley, Mr. Dixon, Mr. Morley, Mr. Cross*)
c. Committee *—R.P. *April* 29 [Bill 6]
  Committee *—R.P. *May* 13

Munster, Mr. W. F., *Mallow*
  Parliament—Breach of Privilege—"Pall Mall Gazette," Res. 530, 531, 539, 541
  Peace Preservation (Ireland), 2R. 2064
  University Tests (Dublin) (No. 3), 2R. 775

Muntz, Mr. P. H., *Birmingham*
  Army—Auxiliary Forces—Adjutants, 1871
  India—Euphrates Valley Railway, Res. 627
  Juries, Comm. *cl.* 1, Amendt. 2071, 2072
  Mercantile Marine—Straits of Magellan, 605
  Permissive Prohibitory Liquor, 2R. 1651
  Post Office—Telegrams to Foreign Countries, 900
  Railway and Canal Traffic, Comm. *cl.* 11, 385 ; *cl.* 21, Amendt. 387, 590 ; *cl.* 33, 596
  Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 3, 794
  Rome, Court of—Religious Corporations, 295
  Supply—British Embassy Houses, &c. 1007
    Household of the Lord Lieutenant of Ireland, 1457
    Houses of Parliament, Amendt. 782
    Works and Buildings, 786
  Ways and Means—Financial Statement, Comm. 705

Murphy, Mr. N. D., *Cork City*
  Ireland—Irish Railways, Purchase of, Res. 1181

Mutiny Bill (*Mr. Bonham-Carter, Mr. Secretary Cardwell, Mr. Campbell-Bannerman*)
c. Read 2° * *Mar* 24
  Committee * ; Report *Mar* 27
  Considered * *Mar* 28
  Read 3° * *Mar* 31
  Observations, Colonel North ; Reply, Mr. Cardwell *Mar* 31, 389

[*cont.*

Mutiny Bill—cont.
l. Read 1ª* (*Marquess of Lansdowne*) *April* 1
Read 2ª* *April* 3
Committee; Report *April* 21, 722
Read 3ª* *April* 22
Royal Assent *April* 24 [36 *Vict.* c. 10]

NAPIER AND ETTRICK, Lord
Improvement of Land, Motion for a Committee, 509

NAVY
Navy Estimates, Postponement of Motions *Mar* 24, 20—Statement of the First Lord of the Admiralty on moving the First Vote, 32
Army Reliefs—North America and the West Indies, Question, Major Arbuthnot; Answer, Mr. Goschen *Mar* 24, 13
"*Britannia*" *Training Ship,* Questions, Mr. C. Dalrymple, Lord Elcho; Answer, Mr. Goschen *April* 29, 1138
Contract Prices, Question, Sir James Elphinstone; Answer, Mr. Shaw Lefevre *April* 3, 519
Good-Service Pensions, Question, Admiral Erskine; Answer, Mr. Goschen *April* 3, 524
Greenwich Pensioners, Question, Mr. Stone; Answer, Mr. Goschen *April* 3, 519
Half Pay of Officers, Observations, Sir James Elphinstone; Reply, Mr. Goschen; short debate thereon *Mar* 24, 20
H.M.S. "*Devastation,*" Question, Observations, The Earl of Lauderdale; Reply, The Earl of Camperdown; short debate thereon *Mar* 31, 332; Observations, Lord Henry Lennox; Reply, Mr. Goschen; debate theron *April* 3, 567
Retirement, Question, Mr. Hanbury-Tracy; Answer, Mr. Goschen *May* 1, 1293
System of Navigation, Question, Mr. Hanbury-Tracy; Answer, Mr. Goschen *Mar* 31, 346

Navy—The Naval Reserves
Amendt. on Committee of Supply *April* 3, To leave out from "That," and add "a Select Committee be appointed to inquire into the condition of the Naval Reserves" (*Mr. Brassey*) *v.*, 542; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

NEVILLE-GRENVILLE, Mr. R., *Somersetshire, Mid*
Supply—Charity Commission, 1014
  Endowed Schools Commission, 1796

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Board of Education (Ireland)—O'Keeffe, Rev. Mr., Motion for a Committee, 2053, 2054
Burials, 2R. 210
Customs and Inland Revenue, Comm. Schedule A, 1688
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1948
Parliament—Easter Vacation, Motion for Adjournment, 652
  Whitsuntide Recess, 1791
Parliament—Business of the House, Motion for a Committee, 227, 236, 247
[*cont.*

NEWDEGATE, Mr. C. N.—*cont.*
Railway and Canal Traffic, Comm. 363; 3R. 1105
Register for Parliamentary and Municipal Electors, Re-comm. 717, 718, 719
Seduction Laws Amendment, 2R. 472
University Tests (Dublin) (No. 2), 306
Ways and Means, Report, 921
Women's Disabilities, 2R. 1254

New Zealand Roads, &c. Loan Act (1870) Amendment Bill
(*Mr. Knatchbull-Hugessen, Mr. Baxter*)
c. Ordered; read 1°* *April* 2 [Bill 116]
Read 2°* *April* 7
Committee*; Report *April* 21
Read 3°* *April* 22
l. Read 1ª* (*Earl of Kimberley*) *April* 24
Read 2ª* *April* 28 (No. 76)
Committee*; Report *April* 29
Read 3ª* *May* 1
Royal Assent *May* 15 [36 *Vict.* c. 15]

NORTH, Lieut-Colonel J. S., *Oxfordshire*
Army Fine Fund, 1756
India—Kirwee Prize Money, 646
Mutiny, 3R. 389

NORTHCOTE, Right Hon. Sir S. H., *Devonshire, N.*
Burials, 2R. 205
Canada, Dominion of—Manitoba, 1140
Central Asia, Motion for an Address, 869
East India Finance Committee—Second Report, 1875
East India (Financial Statement), Res. 415
East India Loan, Comm. 1113
India—Euphrates Valley Railway, Res. 618
Parliament—Public Business, 1790
Parliament—Business of the House, Motion for a Committee, 246
Ways and Means, Report, 1054, 1103, 1308

NORWOOD, Mr. C. M., *Kingston-upon-Hull*
Currency—Bank Act, Res. 143
Treasury and Post Office—Alleged Misappropriation of Funds, 522

O'BRIEN, Sir P., *King's Co.*
Peace Preservation (Ireland), 2R. 2067
Supply—Household of the Lord Lieutenant of Ireland, 1456
  Queen's and Lord Treasurer's Remembrancer, 1455

Occasional Sermons Bill [Bill 22]
(*Mr. Cowper-Temple, Mr. Thomas Hughes*)
c. Moved, "That the Bill be now read 2°" *May* 14, 1962
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Collins*); after debate, Question put, "That 'now,' &c.;" A. 53, N. 199; M. 146; words added; main Question, as amended, put, and agreed to; Bill put off for six months

O'Conor Don, The, *Roscommon Co.*
- Burials Act—Ancient Burial Place, Pontefract, 398
- Civil Service Examination — Public Departments, 345
- Civil Service (Ireland)—Reports of the Commissioners, 345
- General Valuation (Ireland), 2R. Amendt. 1535
- Ireland—Irish Railways, Purchase of, Res. 1149
- University Tests (Dublin) (No. 2), 306
- University Tests (Dublin) (No. 3), Comm. 1527
- Valuation Department (Ireland), Res. 422, 428, 432

O'Conor, Mr. D. M., *Sligo Co.*
- Galway Election Petition, Trial of, Res. 977
- Tichborne Trial, 2019

O'Donoghue, The, *Tralee*
- Peace Preservation (Ireland), 2R. 2063
- Railway and Canal Commissioners Court, 903
- University Tests (Dublin) (No. 3), 2R. 747; Comm. 1524

Office of Woods and Forests—Crown Revenues—Crown Teinds (Scotland)
- Question, Mr. J. W. Barclay; Answer, Mr. Baxter *May* 12, 1789

O'Hagan, Lord (Lord Chancellor of Ireland)
- Marriages (Ireland), 2R. 93

Oranmore and Browne, Lord
- University Tests (Dublin), 2R. 1868

Ordnance Survey
- Question, Mr. Greaves; Answer, Mr. Ayrton *May* 5, 1483

O'Reilly, Mr. M. W., *Longford Co.*
- Army—Barracks, 1025
  - Chaplains to the Forces, 1484
- Civil Service Examinations, 101
- India—H.M. Roman Catholic Servants, 1484
- Ireland—Irish Railways, Purchase of, Res. 1167
- Post Office—Telegrams between France and England, 1292
- Superannuation Act Amendment, Comm. *cl.* 1, 1704

Osborne, Mr. R. Bernal, *Waterford City*
- Palace of Westminster—Decoration of Central Hall, 648
- Parliament—Breach of Privilege—"Pall Mall Gazette," Res. 538
- Permissive Prohibitory Liquor, 2R. 1638, 1654

Otway, Mr. A. J., *Chatham*
- Army—Autumn Manœuvres, 388
- Parks Regulation Act—Meetings in the Parks, Motion for an Address, 284

Oxford University—Professorship of Pastoral Theology
- Question, Mr. Auberon Herbert; Answer, Mr. Gladstone *April* 1, 401

Oyster and Mussel Fisheries Order Confirmation Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
- *c.* Ordered; read 1° * *April* 21 [Bill 131]
- Read 2° * *April* 24
- Committee *; Report *May* 5
- Read 3° * *May* 7
- *l.* Read 1ª * (*Earl of Morley*) *May* 8 (No. 95)

Paget, Major R. H., *Somersetshire, Mid.*
- Police, Administration of the, Motion for a Committee, 1749

Pakington, Right Hon. Sir J. S., *Droitwich*
- Army—Troop Ship "Serapis"—Scotch Fusilier Guards, 902
- Harbours of Refuge, Motion for a Committee, 1419
- Mercantile Marine—"Atlantic," Wreck of, 973
  - "Hindoo" and "Parga," 11
- Navy Estimates—Men and Boys, 87
- Railway and Canal Traffic, Comm. *cl.* 21, 387

Palk, Sir L., *Devonshire, E.*
- Army—Chelsea Hospital Pensioners, 221
- Parliament—Order of Business, 226

Palmer, Mr. J. Hinde, *Lincoln City*
- Railway and Canal Traffic, 3R. 1108
- Supply—Court of Chancery, 1773
  - Natural History Museum, 790
  - Patent Office, 1021

Parker, Lieut.-Colonel W., *Suffolk, W.*
- Magistracy—Leamington, 100

Parker, Mr. C. S., *Perthshire*
- Wild Birds Protection, Motion for a Committee, Amendt. 1189

Parks Regulation Act—Meetings in the Parks
- Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that rules be drawn up for the more effectual protection of Her Majesty's subjects while availing themselves of the privilege accorded them of using the Royal Parks for purposes of recreation by prohibiting the delivery of public addresses in such parks" (*Mr. James Lowther*) *Mar* 27, 260
- Amendt. to leave out from "That," and add "this House approves of the Rules lately issued by Her Majesty's Government for the Regulation of the Royal Parks, and is of opinion that no alteration affecting the existing rights of public meeting therein should be made unless previously approved by Parliament" (*Mr. Auberon Herbert*) *v.*, 271; Question proposed, "That the words, &c.;" after debate, Question put; A. 142, N. 46; M. 96; after further short debate, main Question put, and negatived

Parliament

LORDS—

The Easter Recess, Question, The Duke of Richmond; Answer, Earl Granville *Mar* 25, 91

Palace of Westminster—The Frescoes in the Royal Gallery, Question, Viscount Hardinge; Answer, The Duke of St. Albans *May* 13, 1869

Private Bills—Orders, Ordered, That no Private Bill brought from the House of Commons shall be read a second time after Thursday the 19th day of June next [and other Orders] *April* 24

Gas Companies Bills—Price of Coal and Gas, Observations, Lord Redesdale; Reply, Earl Granville; short debate thereon *May* 5, 1459

COMMONS—

Breach of Privilege — "The Pall Mall Gazette"—Mr. Munster having complained of a certain writing in *The Pall Mall Gazette* as reflecting on certain Members of this House, and delivering in a copy of the said journal, a paragraph was read therefrom —Then it was Moved, "That the said article contains libellous reflections upon certain Members of this House in breach of the Privileges of this House" (*Mr. Munster*) *April* 3, 530; after debate, Motion withdrawn

Business of the House

Observations, Mr. Gladstone *Mar* 24, 7

Juries (Ireland)—Precedence of Motions, Question, Mr. Bruen; Answer, Mr. W. H. Smith *Mar* 25, 111

Order of Business—Navy Estimates, Question, Lord Henry Lennox; Answer, Mr. Goschen *Mar* 27, 225

Public Business after Easter, Question, Mr. Dixon; Answer, Mr. Gladstone *April* 7, 634

Public Business, Observations, Mr. Gladstone *April* 29, 1141; Questions, Mr. Bourke, Sir John Hay, Sir Stafford Northcote, Mr. Disraeli; Answers, Mr. Gladstone *May* 12, 1789

Order—Rules of Debate—Loss of the "Sea Queen," Question, Mr. Melly; Answer, Mr. Chichester Fortescue *Mar* 25, 105

Palace of Westminster — Decoration of the Central Hall, Question, Mr. Osborne; Answer, Mr. Ayrton *April* 7, 648

Representative Peers (Scotland and Ireland), Election of, Observations, Mr. Stapleton; Reply, Mr. Gladstone *Mar* 28, 310

The Easter Recess, after short debate, House adjourned on Monday 7th April to Monday 21st April, 650

The Whitsuntide Recess, Questions, Mr. Beresford Hope, Mr. Newdegate; Answers, Mr. Gladstone *May* 12, 1790

Parliament—Business of the House

Moved, "That a Select Committee be appointed to consider the time of the day at which the House should assemble, the hours during which the House can most conveniently sit for the transaction of Public Business, when the Business introduced by Her Majesty's Ministers should have precedence, and what Notice should be given of any proposal to alter the time at which the House will assemble, for the distribution of Business" (*Mr. Newdegate*) *Mar* 27, 227; after debate, Motion withdrawn

Parliament—Business of the House

Moved, "That when the House after a Morning Sitting resumes its Sitting at Nine o'clock, and it appears on Notice being taken that Forty Members are not present, the House shall suspend Debates and Proceedings until a quarter past Nine, and Mr. Speaker shall then count the House, and if Forty Members are not then present, the House shall stand adjourned" (*Sir Henry Selwin-Ibbetson*) *April* 29, 1190; Resolution agreed to

Parliament — Distribution of Electoral Power

Moved, "That, in the opinion of this House, it is desirable to redress the inequalities of the distribution of Electoral power in England and Scotland as well as in Ireland" (*Sir Charles W. Dilke*) *May* 6, 1561

Amendt. to add at the end of Question "by the application of the cumulative vote or otherwise, so as to secure a better proportional representation of the people in the respective constituencies" (*Mr. Collins*), 1573; Question proposed, "That those words be there added;" after debate, Amendt. withdrawn; main Question put; A. 77, N. 268; M. 191

PARLIAMENT—HOUSE OF LORDS

New Peers

May 6—Edward Berkeley, Baron Portman, created Viscount Portman of Bryanston, county Dorset

Sir Robert Alexander Shafto Adair, baronet, created Baron Waveney of South Elmham, county Suffolk

May 12—James Charles Herbert Welbore Ellis, Earl of Normanton in that part of the United Kingdom of Great Britain and Ireland called Ireland, created Baron Somerton of Somerley, county Southampton

Sat First

April 28—The Viscount Canterbury, after the death of his Brother

May 5—The Lord Churston, after the death of his Grandfather

Representative Peer for Ireland
(Writ and Return)

April 21—Lord Inchiquin, *v.* Lord Kilmaine, deceased

HOUSE OF COMMONS

New Writs Issued

April 28—For Bath, *v.* Sir William Tite, deceased

May 1—For Gloucester City, *v.* William Philip Price, esquire, Chiltern Hundreds

Parliament—Commons—*cont.*
New Members Sworn
April 21—Hon. Henry William Lowry Corry, *Tyrone County*
May 7—Hon. George Henry (Cadogan), Viscount Chelsea, *Bath*
May 12—William Killigrew Wait, esquire, *Gloucester City*

Patent Rights—International Conference
Question, Mr. Macfie; Answer, Viscount Enfield *April* 7, 636

Patten, Right Hon. Colonel J. W., *Lancashire, N.*
Ireland—Irish Railways, Purchase of, Res. 1186
Parliament—Business of the House, Motion for a Committee, 242
Peace Preservation (Ireland), 2R. 2062
Police, Administration of the, Motion for a Committee, 1748
Railway and Canal Traffic, Comm. *cl.* 10, 382
Superannuation Act Amendment, Comm. *cl.* 1, 1704, 1706
University Tests (Dublin) (No. 2), 308
University Tests (Dublin) (No. 3), Comm. *cl.* 2, Amendt. 1531
Supply—Houses of Parliament, 785

Peace Preservation (Ireland) Bill
(*The Marquess of Hartington, Mr. Secretary Bruce*)
c. Ordered; read 1° * *May* 5 [Bill 145]
Moved, "That the Bill be now read 2°" *May* 15, 2054
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Sherlock*); after debate, Question put, "That 'now,' &c.;" A. 223, N. 38; M. 185; main Question put, and agreed to; Bill read 2°

Pease, Mr. J. W., *Durham, S.*
Harbours of Refuge, Motion for a Committee, 1424
Railway and Canal Traffic, Comm. *cl.* 10, 379; *cl.* 11, 384, 385; *add. cl.* 597; Consid. *cl.* 10, 720
Rating (Liability and Value)—Valuation—Consolidated Rate, Leave, 1515
Supply—Queen's and Lord Treasurer's Remembrancer, 1455
Taxes on Locomotion, Res. 450

Peel, Mr. A. W. (Secretary to the Board of Trade), *Warwick Bo.*
Mercantile Marine—Lights in the Channel, Res. 1732

Pell, Mr. A., *Leicestershire, S.*
Local Taxation Accounts, Comm. *add. cl.* 467
Register for Parliamentary and Municipal Electors, Comm. Amendt. 292

Percy, Earl, *Northumberland, N.*
Women's Disabilities, 2R. 1249

Permissive Prohibitory Liquor Bill
(*Sir Wilfrid Lawson, Lord Claud Hamilton, Sir Thomas Bazley, Mr. Downing, Mr. Richard, Mr. Miller, Mr. Dalway*)
c. Moved, "That the Bill be now read 2°" *May* 7, 1609 [Bill 14]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Wheelhouse*); after long debate, Question put, "That 'now,' &c.;" A. 81, N. 321; M. 240; words added; main Question, as amended, put, and agreed to; Bill put off for six months
Division List, Ayes and Noes, 1661

Persia—Concession to Baron de Reuter
Question, Observations, Lord Strathnairn; Reply, Earl Granville *April* 3, 517

Philips, Mr. R. N., *Bury* (*Lancashire*)
Currency—Bank Act, Res. 146

Pier and Harbour Orders Confirmation Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Considered in Committee; Bill ordered; read 1° * *April* 21 [Bill 132]
Read 2° * *April* 24
Committee *; Report *May* 5
Read 3° * *May* 7
l. Read 1ª * (*Earl of Morley*) *May* 8 (No. 96)

Pim, Mr. J., *Dublin City*
General Valuation (Ireland), 2R. 1540
Railway and Canal Traffic, Comm. *cl.* 10, Amendt. 378; Consid. *cl.* 10, Amendt. 720
University Tests (Dublin) (No. 3), 2R. 756; Comm. *cl.* 2, 1532

Playfair, Dr. Lyon, *Edinburgh and St. Andrew's Universities*
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1931
Supply—Learned Societies, 1795

Plimsoll, Mr. S., *Derby Bo.*
Mercantile Marine—"Hindoo" and "Parga," 9
Royal Commission, 298
"Sea Queen," Loss of the, 106, 637
Merchant Shipping Act — "Eleanor," The, 639, 642
Shipping Survey, &c. 2R. 1987

Plunket, Hon. D. R., *Dublin University*
Ireland—Civil Service, Report, 11
Post Office—Telegraph Department—Purchase of the Midland Railway System, 975, 976
University Tests (Dublin) (No. 3), 2R. 762; Comm. *cl.* 3, 1533

Police
Administration of the Police—Motion for a Select Committee, Observations, Mr. Eykyn; Reply, Mr. Bruce; short debate thereon *May* 9, 1733
Constabulary of Radnor, Question, Sir Joseph Bailey; Answer, Mr. Bruce *May* 1, 1299

[*cont.*

Police—cont.
Metropolitan Police — Constable Goodchild, Question, Mr. Auberon Herbert; Answer, Mr. Winterbotham *April* 7, 643
Police Interference with Political Placards—Nottingham, Question, Mr. Auberon Herbert; Answer, Mr. Bruce *April* 25, 974

Pollution of Rivers Bill [H.L.]
(*The Earl of Shaftesbury*)
l. Presented; read 1ª* *April* 3 (No. 59)

Poor Allotments Management Bill [H.L.]
(*The Duke of Richmond*)
l. Committee* *Mar* 24 (No. 20)
Report* *Mar* 27 (No. 43)
Read 3ª* *Mar* 28
c. Read 1°* (*Sir Stafford Northcote*) *April* 2
Read 2°* *April* 7 [Bill 113]
Committee*; Report *April* 28
Considered* *April* 30
Read 3°* *May* 1
l. Royal Assent *May* 15 [36 *Vict.* c. 19]

Portpatrick Harbour (Repeal of Acts) Bill—*Afterwards*
Portpatrick Harbour Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Report* *April* 2 [Bill 61]
Re-comm.*; Report *April* 7
Read 3°* *April* 21
l. Read 1ª* (*Marquess of Lansdowne*) *April* 22
Bill read 2ª, after short debate *April* 25, 969
Committee; Report *April* 28, 1023 (No. 71)
Read 3ª* *April* 29
Royal Assent *May* 15 [36 *Vict.* c. 14]

Portugal—Commercial Tariff
Question, Mr. Grieve; Answer, Viscount Enfield *April* 28, 1029

POST OFFICE
Conveyance of Mails to the Cape, Question, Mr. Holms; Answer, The Chancellor of the Exchequer *May* 5, 1488
Postal Arrangements with the Argentine Republic, Question, Mr. W. H. Smith; Answer, Mr. Monsell *April* 24, 904
Detention of Mails at Calais, Question, Mr. Harvey Lewis; Answer, Mr. Monsell *May* 9, 1713
Edinburgh and Glasgow Letter-Sorters, Question, Mr. Anderson; Answer, Mr. Monsell *April* 24, 903; Question, Mr. Miller; Answer, Mr. Monsell *May* 8, 1678; *May* 15, 2022
Registration of Religious Periodicals, Questions, Colonel Stuart Knox; Answers, Mr. Monsell *May* 12, 1786—*Newspapers,* Question, Mr. M'Mahon; Answer, Mr. Monsell *Mar* 24, 12
The Book Post, Question, Mr. M'Mahon; Answer, Mr. Monsell *April* 7, 647
Post Office Savings Bank Account, Question, Mr. W. H. Smith; Answer, Mr. Monsell *April* 4, 604—*Investment af Deposits,* Question, Mr. Watney; Answer, The Chancellor of the Exchequer *May* 9, 1718

POST OFFICE—*cont.*
Telegraphic Department
Explanation, Mr. Sclater-Booth *Mar* 24, 88; Resolutions [March 21] reported, and agreed to
Capital Expenditure, Question, Mr. Seely; Answer, Mr. Monsell *May* 6, 1558
Carmarthen District, Question, Mr. Jones; Answer, Mr. Monsell *May* 6, 1557
Extension of Telegraphs—Post Office and Telegraph Services—Financial Irregularities, Question, Mr. Fawcett; Answer, Mr. Gladstone *Mar* 25, 101; Question, Mr. Norwood; Answer, The Chancellor of the Exchequer *April* 3, 522; Question, Mr. Rylands; Answer, Mr. Monsell *April* 7, 645; Question, Mr. Seely; Answer, The Chancellor of the Exchequer *May* 6, 1558
Purchase of the Midland Railway System, Question, Mr. Plunket; Answer, Mr. Monsell *April* 25, 975
Telegrams between France and England, Question, Mr. O'Reilly; Answer, Mr. Monsell *May* 1, 1292
Telegrams in French, Question, Colonel Bourne; Answer, Mr. Monsell *April* 29, 1139
Telegrams to Foreign Countries, Question, Mr. Muntz; Answer, Mr. Monsell *April* 24, 900
Telegraph Act, 1869 — *Compensations,* Question, Mr. W. Fowler; Answer, Mr. Monsell *Mar* 31, 345

POWELL, Mr. F. S., *Yorkshire, W. R., N. Div.*
Metropolis Buildings Act Amendment, 2R. Amendt. 497
Railway and Canal Traffic, Comm. *cl.* 24, Amendt. 594
Supply—Harbours, &c. 787
Privy Council for Trade, &c. 1011
Public Buildings, 778
Registrar General of Births, &c. 1016
Salaries, &c. of Temporary Commissions, 1816
Survey of the United Kingdom, 786
University Tests (Dublin) (No. 3), Comm. *cl.* 3, 1533
Ways and Means, Report, 913
Workshops Act, Res. 996

PRICE, Mr. W. P., *Gloucester City*
Railway and Canal Traffic, Comm. *cl.* 11, Amendt. 383

Prison Ministers Committee, 1870
Questions, Sir John Trelawny, Mr. Clare Read; Answers, Mr. Gladstone *Mar* 28, 296

Prison Officers Superannuation (Ireland) Bill (*Sir John Gray, Mr. Pim, Mr. Ion Trant Hamilton*)
c. Ordered; read 1°* *April* 29 [Bill 142]
Read 2°* *May* 7
Committee*—R.P. *May* 14

Public Health Act, 1872
  Epping Drainage District, Question, Sir Henry Selwin-Ibbetson; Answer, Mr. Hibbert *May* 13, 1872
  Poor Law Inspectors, Question, Dr. Lush; Answer, Mr. Stansfeld *April* 3, 524
  Royal Engineers, Question, Sir Joseph Bailey; Answer, Mr. Stansfeld *May* 8, 1678
  Salaries, Question, Sir Henry Selwin-Ibbetson; Answer, Mr. Hibbert *May* 13, 1872

Public Health Bill
(*Sir Charles Adderley, Mr. Francis Sharp Powell, Mr. Whitbread, Lord Robert Montagu, Mr. Stephen Cave, Mr. Richards*)
c. Moved, "That the Bill be now read 2°" *May* 7, 1664
  Amendt. to leave out from "That," and add "it is inexpedient to add to the duties at present imposed upon sanitary authorities constituted by the Act 1872, until their powers are better defined by a consolidation of the statutes, and appointments have been completed in conformity with the intention of the Act" (*Mr. Corrance*) *v.*; Question proposed, "That the words, &c.;" after short debate, Debate adjourned
  Debate resumed *May* 8, 1707; after short debate, Amendt. withdrawn; main Question put, and agreed to; Bill read 2° [Bill 99]

Public Meetings (Ireland) Bill
(*Mr. P. J. Smyth, Mr. M'Mahon, Mr. Ronayne, Sir John Gray, Mr. Downing, Mr. Butt*)
c. Ordered; read 1°* *May* 7 [Bill 157]

Public Prosecutors Bill
  Question, Mr. Eykyn; Answer, Mr. Bruce *Mar* 25, 104

Public Worship Facilities Bill
(*Mr. Salt, Mr. Cowper-Temple, Sir Smith Child, Mr. Akroyd, Mr. Dimsdale*)
c. Bill considered* *Mar* 27 [Bill 100]
  Read 3°* *Mar* 31
l. Read 1ª* (*E. of Carnarvon*) *April* 1 (No. 56)

RAIKES, Mr. H. C., *Chester*
  France—Commercial Treaty, 1860, 521
  Law Officers of the Crown—Attorney General, 14
  Supply—Court of Chancery, 1774

Railway and Canal Commissioners' Court
  Question, The O'Donoghue; Answer, Mr. Chichester Fortescue *April* 24, 903

Railway and Canal Commissioners' Names
  Observations, Mr. Chichester Fortescue *April* 28, 1027

Railway and Canal Companies Bills—The Joint Committee
  Questions, Mr. Woods, Mr. Rathbone; Answers, Mr. Chichester Fortescue *May* 5, 1486

Railway and Canal Traffic Bill
(*Mr. Chichester Fortescue, Mr. Childers, Mr. Arthur Peel*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 31, 349
  Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Joshua Fielden*) *v.*; after debate, Question, "That the words, &c.," put, and agreed to
  Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P. [Bill 34]
  Committee; Report *April* 3, 590
  Moved, "That the Bill be now taken into Consideration" *April* 7, 719; A. 103, N. 23; M. 80; Bill considered
  Moved, "That the Bill be now read 3°" *April* 28, 1105
  Amendt. to leave out from "Bill be," and add "re-committed in respect of certain new Clauses" (*Sir Herbert Croft*) *v.*; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn; main Question put, and agreed to; Bill read 3°
l. Read 1ª* (*The Lord President*) *April* 29
  Bill read 2ª, after short debate *May* 6, 1544
  Committee *May* 13, 1843 (No. 84)

Railways
  Board of Trade Returns (1872), Question, Mr. Lea; Answer, Mr. Chichester Fortescue *May* 5, 1487
  Communication between Passengers and Guards, Question, Mr. Watney; Answer, Mr. Chichester Fortescue *May* 9, 1711

Railways Provisional Certificate Bill
Afterwards—
Railways Provisional Certificates (Widnes Railway) Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Report* *May* 7 [Bill 156]
  Re-comm.*—R.P. *May* 8
  Committee*; Report *May* 9
  Read 3°* *May* 12
l. Read 1ª* (*Earl of Morley*) *May* 13 (No. 111)

RATHBONE, Mr. W., *Liverpool*
  Local Taxation, Motion for a Committee, 1834
  Mercantile Marine—"Knight Templar," The, 225
  Municipal Corporations (Borough Funds) Act, 105
  Railway and Canal Companies—Joint Committee, 1487
  Railway and Canal Traffic, Comm. *cl.* 4, 374; *cl.* 10, Amendt. 376, 379, 381; *cl.* 33, 595; *add. cl.* 597
  Register for Parliamentary and Municipal Electors, Re-comm. 719; *cl.* 3, 795; *cl.* 10, Amendt. 1691; *cl.* 13, 1693; *add. cl.* 1694
  Ways and Means, Report, 1338

Rating (Liability and Value) Bill
(*Mr. Stansfeld, Mr. Secretary Bruce, Mr. Goschen, Mr. Hibbert*)
c. Motion for Leave (*Mr. Stansfeld*) *May* 5, 1491; Bill ordered; read 1°* [Bill 146]

READ, Mr. Clare S., *Norfolk, S.*
Agricultural Children, Comm. *cl.* 4, 1458; 3R. 1709
Cattle—German Cattle, Importation of, 1717
Landlord and Tenant, 644
Metropolis Buildings Act Amendment, 2R. 501
Police, Administration of the, Motion for a Committee, 1748
Prison Ministers Committee, 297
Public Health, 2R. 1708
Rating (Liability and Value)—Valuation—Consolidated Rate, Leave, 1519
Ways and Means—Financial Statement, Comm. 687; Report, 1346
Wild Birds Protection, Motion for a Committee, 1188

Real Property Limitation Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª* *April* 29 (No. 86)

REDESDALE, Lord (Chairman of Committees)
Bastardy Laws Amendment, Commons Amendts. 601
Gas Companies—Coal and Gas, Price of, 1459, 1463
Improvement of Land, Motion for a Committee, 508
Marriages (Ireland), 2R. 92
Railway and Canal Traffic, 2R. 1554, 1556
Registration of Births and Deaths, 2R. 895
Supreme Court of Judicature, Comm. 394; Re-comm. 1258; Res. 1396, 1402; 3R. Amendt. 1463

REDMOND, Mr. W. A., *Wexford*
University Tests (Dublin) (No. 3), 2R. 776

REED, Mr. C., *Hackney*
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 10, 1691

Register for Parliamentary and Municipal Electors Bill
(*Mr. Attorney General, Mr. Hibbert*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 27, 292
Amendt. to leave out from "That," and add "the Bill be committed to a Select Committee" (*Mr. Pell*) *v.*; Question proposed, "That the words, &c.;" after short debate, Moved, "That the debate be now adjourned" (*Colonel Barttelot*); A. 45, N. 64; M. 19
Original Question again proposed; Amendt. withdrawn; main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee; Report [Bill 66]
Order for Committee (*on re-comm.*) read; Moved, "That Mr. Speaker do now leave the Chair" *April* 7, 713
Amendt. to leave out from "That," and add "the Bill be committed to a Select Committee" (*Mr. Charles Lewis*) *v.*; after short debate, Question put, "That the words, &c.;" A. 110, N. 38; M. 72
[*cont.*

Register for Parliamentary and Municipal Electors Bill—cont.
Question again proposed; Moved, "That the debate be now adjourned" (*Mr. Greene*); after further short debate, Motion withdrawn
Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P. [Bill 105]
Committee—R.P. *April* 21, 793
Committee—R.P. *April* 24, 959
Committee; Report *May* 8, 1690

Registration of Births and Deaths Bill
[H.L.] (*The Earl of Morley*)
l. Presented; read 1ª* *Mar* 27 (No. 49)
Bill read 2ª, after short debate *April* 24, 892
Committee *May* 8, 1666

Registration of Trade Marks Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Considered in Committee; Bill ordered; read 1º* *April* 21 [Bill 133]

Revenue Departments—Superannuations
Question, Mr. W. H. Smith; Answer, Mr. Baxter *May* 15, 2019

RICHMOND, Duke of
Elementary Education Provisional Order Confirmation (No. 1), Comm. 1671, 1674
Gas Companies—Coal and Gas, Price of, 1461
Marriages (Ireland), 2R. 94
Mutiny, Comm. 723
Palace of Westminster—Frescoes in Royal Gallery, 1870
Parliament—Easter Recess, 91
Portpatrick Harbour, 2R. 969
Railway and Canal Traffic, 2R. 1550; Comm. *add. cl.* 1843, 1844; *cl.* 6, Amendt. *ib.*; *cl.* 10, Amendt. *ib.*; *cl.* 12, Amendt. 1845, 1846; *cl.* 16, Amendt. *ib.*; *cl.* 19, 1847, 1848; *cl.* 25, Amendt. *ib.*
Registration of Births and Deaths, 2R. 894; Comm. 1667
Vagrants Law Amendment, 2R. 2012

RIDLEY, Mr. M. W., *Northumberland, N.*
Dog Licence, 525

RIPON, Marquess of (Lord President of the Council)
Elementary Education Provisional Order Confirmation (No. 1), Comm. 1671, 1674
Palace of Westminster—Frescoes in Royal Gallery, 1870
Railway and Canal Traffic, 2R. 1544, 1557; Comm. *add. cl.* 1844; *cl.* 6, *ib.*; *cl.* 10, *ib.*; *cl.* 12, 1845, 1846; *cl.* 16, 1847; *cl.* 19, 1848; *cl.* 25, 1849

Rock of Cashel Bill
(*Mr. Heron, Sir John Esmonde, Sir Colman O'Loghlen, Colonel White, Sir John Gray*)
c. Ordered; read 1º* *Mar* 26 [Bill 104]

Rock of Cashel Bill [H.L.]
(*Lord Stanley of Alderley*)
l. Presented; read 1ª* *May* 5 (No. 90)

Rome
Court of Rome—Religious Corporations, Question, Mr. Muntz; Answer, Viscount Enfield *Mar* 28, 295
The Attack upon Mr. Vansittart, Question, Mr. Matthews; Answer, Viscount Enfield *May* 5, 1489

Romilly, Lord
Land Titles and Transfer, 1R. 1134
Railway and Canal Traffic, Comm. *cl.* 12, 1846
Supreme Court of Judicature, Re-comm. *cl.* 5, 1279

Ronayne, Mr. J. P., *Cork City*
General Valuation (Ireland), 2R. 1540
Parliament—Breach of Privilege—"Pall Mall Gazette," Res. 539
Peace Preservation (Ireland), 2R. 2068
University Tests (Dublin) (No. 3), Comm. 1528

Russia
British Graves in the Crimea, Question, Mr. Heygate; Answer, Mr. Gladstone *April* 3, 529; Observations, Mr. R. N. Fowler; Reply, Mr. Baxter; short debate thereon *May* 9, 1761
[See title *Central Asia*]

Rylands, Mr. P., *Warrington*
Army Fine Fund, 1757
Navy—Half Pay of Officers, 32
Navy Estimates—Men and Boys, 83
Seamen and Marines, 590
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 273
Post Office—Telegraph Extension—Expenditure for, 645
Railway and Canal Traffic, Comm. *cl.* 33, 595
Register for Parliamentary and Municipal Electors, Re-comm. 719; *cl.* 10, 1691
Superannuation Act Amendment, Comm. *cl.* 1, 1703, 1705, 1707
Supply—Board of Supervision (Scotland), 1455
Charity Commission, 1015
Court of Chancery, 1773
Embassies and Missions Abroad, Amendt. 1797, 1804
Houses of Parliament, 784
Law Officers, &c. 1771
Local Government Board, 1017
Metropolitan Police Courts, 791; Amendt. *ib.*
Salaries, &c. of Temporary Commissions, Amendt. 1816, 1817
Secret Services, Amendt. 1022
Superannuation Allowances, 1815
Ways and Means, Comm. 941

Sackville, Mr. Sackville G. Stopford- *Northamptonshire, N.*
Supply—Court of Chancery, 1773

St. Albans, Duke of
Palace of Westminster — Frescoes in Royal Gallery, 1870

St. Aubyn, Sir J., *Cornwall, W.*
Local Taxation—Exemption of Real Property, 18

St. Lawrence, Viscount, *Galway Bo.*
Ireland—Irish Railways, Purchase of, Res. 1172

Salisbury, Marquess of
Bastardy Laws Amendment, Comm. 1; Commons Amendts. 599, 601, 724, 725
Canonries, 2R. 1675
Elementary Education Provisional Order Confirmation (No. 1), Comm. Amendt. 1667, 1672, 1673
Improvement of Land, Motion for a Committee, 506, 517
Investment of Capital in Land, Motion for a Committee, 294
Marriages (Ireland), 2R. 93
Mutiny, Comm. 722, 723
Railway and Canal Traffic, Comm. *cl.* 10, 1844; *cl.* 12, 1846; *cl.* 16, 1847; *cl.* 19, 1848
Supreme Court of Judicature, Comm. 397; Re-comm. *cl.* 6, Amendt. 1283, 1291; 3R. Amendt. 1464, 1470, 1482
Vagrants Law Amendment, 2R. 2013

Salmon Fisheries (*re-comm.*) **Bill**
(*Mr. Dillwyn, Mr. William Lowther, Mr. Assheton, Mr. Alexander Brown*)
c. Committee (*on re-comm.*); Report *April* 23, 890 [Bill 93]

Salmon Fisheries Commissioners Bill
(*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Bill read 3°, after debate *Mar* 24, 88 [Bill 85]
l. Read 1ª * (*Earl of Morley*) *Mar* 25 (No. 47)
Read 2ª * *Mar* 31
Committee *; Report *April* 1
Read 3ª * *April* 3
Royal Assent *April* 24 [36 *Vict.* c. 13]

Salt, Mr. T., *Stafford*
Africa (West Coast) — Fanti Confederation, 1483
Marriage Law, 99
Sandwich Islands, 219
South Sea Islands — Upolo and Navigator Islands, 1782
Supply—Embassies and Missions Abroad, 1803

Samuda, Mr. J. D'A., *Tower Hamlets*
Merchant Shipping Act—Rules of the Road at Sea, Res. 253
Navy—H.M.S. "Devastation," 576, 578, 584
Navy Estimates—Men and Boys, 78, 79

Samuelson, Mr. B., *Banbury*
Local Taxation, Motion for a Committee, Amendt. 1833
Permissive Prohibitory Liquor, 2R. 1635
Supply—Salaries, &c. of Temporary Commissions, 1817

Samuelson, Mr. H. B., *Cheltenham*
Local Taxation, Motion for a Committee, 1841

Sandwich Islands, The
Question, Mr. Salt; Answer, Viscount Enfield *Mar* 27, 219

Sanitary Acts—Mineral Works
Question, Mr. Gregory ; Answer, Mr. Hibbert *April* 21, 726

Saunderson, Mr. E. J., *Cavan Co.*
Board of Education (Ireland)—O'Keeffe, Rev. Mr., Motion for a Committee, 2042

Sclater-Booth, Mr. G., *Hampshire, N.*
Army—Autumn Manœuvres, 388
Fine Fund, 1750
Bradford Improvement, 2R. 1676
Ireland—Irish Railways, Purchase of, Res. 1180
Local Taxation, Motion for a Committee, 1834
Supply—Charity Commission, 1014 ; Amendt. 1015
Civil Service Commission, 1016
Endowed Schools Commission, 1797
Government Property, Rates on, 787
Houses of Parliament, 781, 782, 784
Local Government Board, 1017
New Courts of Justice, &c. 792
New Offices, Downing Street, 785
Privy Council for Trade, &c. 1010, 1011, 1012
Telegraph Department, Report, 88
Ways and Means—Financial Statement, Comm. 707 ; Report, 921, 1083, 1312

Scotland
Board of Education (Scotland), Question, Mr. Gordon ; Answer, Mr. W. E. Forster *May* 2, 1406
Constabulary Superannuations, Question, Observations, The Earl of Minto ; Reply, The Earl of Morley *May* 9, 1710
Crown Revenues — Crown Teinds, Question, Mr. J. W. Barclay ; Answer, Mr. Baxter *May* 12, 1789
Dumfries—The Estate of Hannahfield—Grant by the Crown, Question, Lord Claud John Hamilton ; Answer, Mr. Baxter *Mar* 27, 224
Rates for Church Repairs, &c., Question, Mr. M'Laren ; Answer, The Lord Advocate *April* 7, 645
Sheriffs Substitute, Question, Sir David Wedderburn ; Answer, The Chancellor of the Exchequer *April* 3, 523

Scott, Lord H. J. M. D., *Hampshire, S.*
Navy Estimates—Men and Boys, 84

Scourfield, Mr. J. H., *Pembrokeshire, S.*
Burials, 2R. 195
Juries, Comm. *cl.* 1, 2072
Local Taxation, Motion for a Committee, 1840
Navy Estimates—Men and Boys, 84
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 287
Parliament—Business of the House, Motion for a Committee, 244
Supply—Criminal Prosecutions at Assizes, &c. 1772
Salaries, &c. of Temporary Commissions, 1817
Stationery Office, 1022
Taxes on Locomotion, Res. 449
Ways and Means, Comm. 944
Women's Disabilities, 2R. 1219

Seduction Laws Amendment Bill
(*Mr. Charley, Mr. Eykyn, Mr. Mundella, Mr. Whitwell*)
c. Moved, "That the Bill be now read 2°" *April* 2, 468
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Cavendish Bentinck*) ; Question proposed, "That 'now,' &c. ;" after debate, Amendt. withdrawn ; main Question put, and agreed to ; Bill read 2° [Bill 10]

Seely, Mr. C., Senr., *Lincoln City*
Post Office—Financial Irregularities, 1558
Telegraph Department—Capital Expenditure, 1558

Selborne, Lord (see Chancellor, The Lord)

Selwin-Ibbetson, Sir H. J., *Essex, W.*
Army—Autumn Manœuvres, 388
Locomotives on Roads, 2R. 888
Parliament—Business of the House, Motion for a Committee, 235 ; Res. 1190
Permissive Prohibitory Liquor, 2R. 1636
Public Health Act—Epping Drainage District, 1872
Salaries, 1872
Railway and Canal Traffic, Comm. 359 ; *cl.* 4, 373 ; *cl.* 10, 380 ; *cl.* 20, 386 ; *cl.* 33, 595
Supply—Court of Chancery, 1773
Ways and Means, Report, Amendt. 905, 920

Seymour, Mr. A., *Salisbury*
Supply—Natural History Museum, 790, 791

Shaftesbury, Earl of
Bastardy Laws Amendment, Comm. 3 ; Commons Amendts. 601

Shaw, Mr. R., *Burnley*
Army—Medical Officers, 2021
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 9, 1691
Superannuation Act Amendment, Comm. *cl.* 1, 1705

Sherlock, Mr. Serjeant D., *King's Co.*
Burials, 2R. 213
Juries (Ireland) Act, Motion for a Committee, 328
Peace Preservation (Ireland), 2R. Amendt. 2058
Women's Disabilities, 2R. 1220

Shipping Survey, &c. Bill
(*Mr. Plimsoll, Mr. Horsman, Mr. Charles Lewis, Mr. Staveley Hill, Mr. Samuda, Mr. Carter, Sir Henry Selwin-Ibbetson, Sir Robert Torrens, Mr. Eykyn, Mr. Leeman*)
c. Moved, "That the Bill be now read 2°" *May* 14, 1987 ; after short debate, Debate adjourned [Bill 43]

Shop Hours Regulation Bill
(*Sir John Lubbock, Mr. Thomas Hughes, Mr. Morley, Mr. Mundella*)
c. Ordered; read 1° * *April* 3 [Bill 123]

Shrewsbury School Property Bill
(*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Ordered * *April* 1
Read 1° * *April* 2 [Bill 117]
Read 2° * *May* 8
Committee *; Report *May* 15 [Bill 164]

SIMON, Mr. Serjeant J., *Dewsbury*
Criminal Law — Shropshire Magistrates — Whitefoot, George, Case of, 1770
Spain—Jencken, Mr. H. D., Assault on, Motion for an Address, 628
"Lark," Sloop, The, 2023

SINCLAIR, Sir J. G. T., *Caithness-shire*
Ways and Means—Report, 1345

Sites for Places of Religious Worship Bill
(*Mr. Osborne Morgan, Mr. Morley, Mr. Hinde Palmer, Mr. Charles Reed*)
c. Read 2° * *Mar* 26 [Bill 25]
Committee *; Report *Mar* 31
Read 3° * *April* 2
l. Read 1ª * (*Lord Hatherley*) *April* 3 (No. 61)

SMITH, Mr. J. B., *Stockport*
Currency—Bank Act, Res. 140
Sugar Duties—International Conference, 1718
Ways and Means—Financial Statement, Comm. 678, 956

SMITH, Mr. T. E., *Tynemouth, &c.*
Agricultural Children, 3R. 1709
Loss of Life at Sea, Commission on, 1024
Merchant Shipping Act—"Parga," The, 1297
Merchant Shipping Act—Rules of the Road at Sea, Res. 253
Merchant Shipping Act Amendment, Leave, 1961
Shipping Survey, &c., 2R. Amendt. 1994
Spain—"Murillo," Case of the, 343
Suez Canal—Augmentation of Dues, Res. 459, 460
University Tests (Dublin) (No. 3), Comm. *cl.* 3, Amendt. 1533, 1535

SMITH, Mr. W. H., *Westminster*
Customs and Inland Revenue, Comm. 1685
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1929
Juries (Ireland), Precedence of Motions, 111
Local Taxation, Motion for a Committee, 1836
Metropolis Buildings Act Amendment, 2R. 504
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 288
Post Office — Argentine Republic — Postal Arrangements with, 904
Savings Bank Account, 604
Railway and Canal Traffic, Comm. *cl.* 4, 373, 374; *cl.* 10, 376; *cl.* 23, 593

[*cont.*

SMITH, Mr. W. H.—*cont.*
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 13, 1693
Revenue Departments—Superannuations, 2019
Ways and Means, Report, Amendt. 1030, 1033

SMYTH, Mr. P. J., *Westmeath Co.*
Ireland—Dublin University, 529
Peace Preservation (Ireland), 2R. 2059
University Tests (Dublin) (No. 3), Comm. Amendt. 1520

SOLICITOR GENERAL, The (Sir G. JESSEL), *Dover*
Railway and Canal Traffic, Comm. *cl.* 4, 371, 374; *cl.* 21, 387; *cl.* 22, 592; Consid. *cl.* 10, 720
Supply—Court of Chancery, 1773, 1774

SOMERSET, Duke of
Alderney (Harbour and Fortifications), Report, 331, 332
Navy—H.M.S. "Devastation," 339

South Sea Islands—Upolo and the Navigator Islands
Question, Mr. Salt; Answer, Viscount Enfield *May* 12, 1782

Spain
Recognition of the Republic, Question, Mr. P. A. Taylor; Answer, Viscount Enfield *Mar* 27, 219
Sale and Purchase of Arms—International Law, Question, Captain Dawson-Damer; Answer, Viscount Enfield *Mar* 27, 222
Subscriptions for the Carlists—International Law, Question, Mr. Stapleton; Answer, Mr. Gladstone *April* 7, 633; *April* 24, 896
The Sloop "Lark," Question, Mr. Serjeant Simon; Answer, Mr. Knatchbull-Hugessen *May* 15, 2023

Spain—Assault on Mr. Henry Diedrich Jencken
Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to be graciously pleased to direct Her Principal Secretary of State for Foreign Affairs to enter into communication with the Spanish Government with the view to obtaining compensation for Mr. H. D. Jencken, on account of the injuries received by him at the hands of the populace at Lorca in 1869" (*Mr. Serjeant Simon*) *April* 4, 628 [House counted out]

SPEAKER, The (Right Hon. H. B. W. BRAND), *Cambridgeshire*
Bradford Improvement, 2R. 1676
East India Loan, Comm. 1109
Landlord and Tenant, 644
Mercantile Marine—"Sea Queen," Loss of the, 106
Merchant Shipping Act—"Eleanor," The, 641
Metropolitan Police—Goodchild, Constable, 644
Navy—H.M.S. "Devastation," 576, 577

[*cont.*

Speaker, The—*cont.*
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 288
Parliament—Easter Vacation, Motion for Adjournment, 653
Police, Administration of the, Motion for a Committee, 1739, 1749
Register for Parliamentary and Municipal Electors, Re-comm. 715, 719
University Tests (Dublin), Withdrawal of Bill, 303, 304
University Tests (Dublin) (No. 2), 304, 305, 306
University Tests (Dublin) (No. 3), Res. 505
Workshops Act, Res. 994

Stanhope, Mr. W. T. W. S., *Yorkshire, W.R.*
Railway and Canal Traffic, Comm. *cl.* 10, 379; 3R. 1108

Stanley, Hon. Captain F. A., *Lancashire, N.*
Lancaster and Ulverston Sands, 1293
Locomotives on Roads, 2R. 886

Stanley, Hon. W. O., *Beaumaris*
Heligoland, Gambling Houses at, 1871

Stansfeld, Right Hon. J. (President of the Local Government Board), *Halifax*
Bastardy Laws—Proceedings in Bastardy, 1680
Jury List Allowances—Magistrates' Clerks, 530
Local Government Board — Inspectors and Health Officers, 18
Local Taxation—Exemption of Real Property, 19
Local Taxation, Motion for a Committee, 1819, 1832, 1839, 1840, 1841
Public Health Act, 1872—Poor Law Inspectors, 525
Royal Engineers, 1678
Rating (Liability and Value) — Valuation—Consolidated Rate, Leave, 1491, 1517, 1519, 1520

Stapleton, Mr. J., *Berwick-on-Tweed*
Election of Representative Peers (Scotland and Ireland), 310
India—Education, 1024
Railway and Canal Traffic, Comm. *cl.* 10, 378
Spain—Carlists, Subscriptions for the, 633
International Law, 896
University Tests (Dublin) (No. 3), Comm. 1530

Stevenson, Mr. J. C., *South Shields*
Harbours of Refuge, Motion for a Committee, 1422
Railway and Canal Traffic, Comm. *cl.* 11, Amendt. 383, 385

Stipendiary Magistrates (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Bruce, Mr. Adam*)
c. Ordered; read 1°* *April* 7 [Bill 129]
Read 2°* *April* 28

Stone, Mr. W. H., *Portsmouth*
Navy—Greenwich Pensioners, 519

Storks, Right Hon. Major General Sir H. (Surveyor General of Ordnance), *Ripon*
Army—Questions, &c.
Autumn Manœuvres, 388
Cavalry Officer, Charge against, 1786
Chaplains to the Forces, 1484
Gunpowder, Contracts for, 901, 1680
Medical Officers, 2022
Sandhurst College — Direct Commissions, 1026
Volunteer Officers, 1486
Yeomanry Cavalry—Horse Duty, 2022
Canada, Dominion of—Transfer of Arms, &c. 1679
Mercantile Marine—Distress Ship Signals, 1785
Superannuation Act Amendment, Comm. *cl.* 1, 1703
Supply—Household of the Lord Lieutenant of Ireland, 1456

Straight, Mr. D., *Shrewsbury*
Criminal Law—Great Northern Railway Company—Inquest on a Guard, 2020
Juries, Comm. *cl.* 1, 2072
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 276
Seduction Laws Amendment, 2R. 477

Strathnairn, Lord
Railways and Telegraphs in Persia, 517

Suez Canal, The
Increase of Dues, Question, Mr. Denison; Answer, Viscount Enfield *Mar* 28, 297; Question, Mr. Baillie Cochrane; Answer, Viscount Enfield *Mar* 31, 344
Moved, "That, the Commerce of this Country being so deeply interested in the uninterrupted navigation of the Suez Canal, it is desirable that Her Majesty's Government should at once give its adhesion to the judicial reforms in Egypt, suggested and approved of by the Representatives of all the European Powers, by which tribunals will be created for the better administration of justice in Egypt, and the adjudication of differences which may arise between British Shipowners and the administrators of the Suez Canal Company" (*Mr. Baillie Cochrane*) *April* 1, 451; after short debate, Motion withdrawn
Personal Explanation, Mr. Baillie Cochrane *April* 4, 606

Sugar Duties — International Conference, 1864
Question, Mr. Grieve; Answer, The Chancellor of the Exchequer *Mar* 31, 347; *April* 3, 527; Questions, Mr. Stephen Cave, Mr. J. B. Smith; Answers, The Chancellor of the Exchequer *May* 9, 1717
Committee of Ways and Means—The Sugar Duties Resolutions, Questions, Mr. Hunt; Answers, Mr. Baxter, Mr. Gladstone *April* 22, 801

Superannuation Act Amendment Bill
(*Mr. William Henry Gladstone, Mr. Baxter*)
c. Ordered ; read 1° * *April* 21 [Bill 135]
Read 2° * *May* 5
Order for Committee read ; Moved, "That Mr. Speaker do now leave the Chair" *May* 8, 1700
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Joshua Fielden*) *v.* ; Question proposed, "That the words, &c. ;" after short debate, Question put ; A. 110, N. 43 ; M. 67 ; main Question, "That Mr. Speaker, &c.," put, and agreed to ; Committee ; Report
Considered * *May* 12
Read 3° * *May* 13
l. Read 1ª * (*Marquess of Lansdowne*) *May* 15 (No. 113)

SUPPLY
Considered in Committee *Mar* 24, 32—Navy Estimates—Statement of the First Lord of the Admiralty (*Mr. Goschen*) on moving the First Resolution—Resolutions reported, and, after long debate, agreed to *Mar* 26
Considered in Committee *Mar* 28—Post Office Telegraph Service—Resolution reported *Mar* 31
Question, Mr. Vernon Harcourt ; Answer, Mr. Gladstone *April* 1, 399
Considered in Committee *April* 3, 590—Navy Estimates—Committee R.P.
Considered in Committee *April* 21, 777—Civil Service Estimates—Class I.—Public Works and Buildings—Votes 1 to 24—Resolutions reported *April* 22
Considered in Committee *April* 25, 1003—Civil Service Estimates—Class I.—Public Works and Buildings—Votes 24 to 28—Class II.—Salaries and Expenses of Public Departments—Votes 1 to 7, 9 to 28—Resolutions reported *April* 28
Considered in Committee *May* 2, 1453—Civil Service Estimates—Class II.—Salaries and Expenses of Public Departments—Votes 29 to 41—Resolutions reported *May* 5
Considered in Committee *May* 9, 1771—Civil Service Estimates—Class III.—Law and Justice—Votes 1 to 32—Resolutions reported *May* 12
Considered in Committee *May*, 12, 1791—Civil Service Estimates—Class II.—Salaries and Expenses of Public Departments—Vote 8—Class III.—Law and Justice—Votes 33 to 38—Class IV.—Education, Science, and Art—Votes 3 to 16—Class V.—Colonial, Consular, and other Foreign Services—Votes 1, 3 to 8—Class VI.—Superannuation and Retired Allowances, &c.—Votes 1 to 6—Class VII.—Miscellaneous, Special, and Temporary Objects—Votes 1 to 3—Customs Department—Inland Revenue—Resolutions reported *May* 13

Supreme Court of Judicature Bill [H.L.]
(*The Lord Chancellor*)
l. Committee ; Report, after short debate *Mar* 24, 6 (No. 14)
Order for Committee (*on re-comm.*) *April* 1, 391 ; after short debate, Order discharged ; Bill referred to a Select Committee ; List of the Committee, 397
Committee *May* 1, 1258 (Nos. 45-73)
Clause 5 (Constitution of High Court of Justice)
Amendt. moved, page 2, line 12, after ("be") to insert ("the Lord Chancellor") (*The Lord Cairns*) ; on Question ? Cont. 67, Not-Cont. 49 ; M. 18 ; Amendt. agreed to
Division List, Cont. and Not-Cont., 1282
Moved to resolve, 1st. That one tribunal of ultimate appeal for disputed suits from the courts of all the three kingdoms is more advantageous than separate tribunals for such appeals (*The Lord Redesdale*) *May* 2, 1396 ; after short debate, on Question ? Cont. 13, Not-Cont. 38 ; M. 25
Division List, Cont. and Not-Cont., 1402
Resolutions (*The Lord Redesdale*) 1403
Report * *May* 2
Moved, "That the Bill be now read 3ª" *May* 5, 1463
Amendt. to leave out ("now,") and insert ("this day six months") (*Lord Denman*) ; on Question ? That ("now,") &c. ; resolved in the affirmative ; Bill read 3ª (No. 89)
Amendt. moved, Clause 20, page 9, line 26, after ("Privy Council") to insert ("Except when the Court of Appeal shall be of opinion that any Appeal ought to be re-heard, in which case the Court shall order such Appeal to be referred to the House of Lords") (*The Lord Redesdale*) ; Amendt. negatived
Amendt. moved, Clause 21, lines 36 and 37, leave out ("except appeals from any Ecclesiastical Court and petitions relating thereto") (*The Marquess of Salisbury*) ; after debate, Amendt. withdrawn ; Bill passed
Protests thereon—*See* Appendix
c. Read 1° * (*Mr. Attorney General*) *May* 7 [Bill 154]

Synan, Mr. E. J., *Limerick Co.*
General Valuation (Ireland), 2R. 1537
University Tests (Dublin) (No. 2), 306, 309
University Tests (Dublin) (No. 3), 2R. 758 ; Comm. 1527

Talbot, Hon. Captain R. A. J., *Stafford Bo.*
Army—21st R. N. B. Fusiliers, 1713

Talbot, Mr. J. G., *Kent, W.*
Education Department—New Code, 1873, 348
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1918, 1925
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 286
Permissive Prohibitory Liquor, 2R. 1626
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 4, Motion for reporting Progress, 796
Supply—Court of Chancery, 1774

Taylor, Right Hon. Lt.-Colonel T. E., *Dublin Co.*
Board of Education (Ireland)—O'Keeffe, Rev. Mr., 1770

Taylor, Mr. P. A., *Leicester Bo.*
Criminal Law — Shropshire Magistrates — Whitefoot, George, Case of, 1298, 1763, 1767
Spain, 219

Tipping, Mr. W., *Stockport*
Parks Regulation Act—Meetings in the Parks, Motion for an Address, 287

Tithe Commutation Acts Amendment Bill
(*Mr. Arthur P. Vivian, Mr. Bouverie, Sir John Lubbock, Mr. Magniac*)
c. Read 2° * and referred to a Select Committee *May* 8 [Bill 81]
List of the Committee *May* 9, 1778

Torr, Mr. J., *Liverpool*
Ways and Means, Report, 1337

Torrens, Mr. W. T. M., *Finsbury*
India—Banda and Kirwee Prize Money, 1485
Metropolis Buildings Act Amendment, 2R. 503
Ways and Means, Report, 1068

Tracy, Hon. C. R. D. Hanbury-, *Montgomery, &c.*
Navy—Navigation, System of, 346
Retirement, 1293

Trades Unions—The Amalgamated Society of Engineers
Question, Mr. Headlam; Answer, The Attorney General *Mar* 27, 220

Tramways Provisional Orders Confirmation Bill [H.L.] (*The Lord President*)
l. Presented; read 1ª * *May* 5 (No. 93)
Read 2ª * *May* 13

Treaty of Washington — The San Juan Award
Observations, Lord George Hamilton; Reply, Viscount Enfield; debate thereon *May* 2, 1426

Trelawny, Sir J. G. S., *Cornwall, E.*
Prison Ministers Committee, 1870, 296
Women's Disabilities, 2R. 1256

Trench, Hon. Major W. Le Poer, *Galway*
Ireland—Shannon River, 348

Trevelyan, Mr. G. O., *Hawick, &c.*
Army—Sandhurst, Insubordination at, 901
Army—Honorary Colonelcies, Res. 1591, 1607
Customs Department (Salaries), 1788
Supply—Household of the Lord Lieutenant of Ireland, Amendt. 1456

Turks and Caicos Islands Bill [H.L.]
(*Mr. Knatchbull-Hugessen*)
c. Committee *; Report *Mar* 27 [Bill 87]
Considered * *Mar* 28
Read 3° * *Mar* 31
l. Royal Assent *April* 4 [36 *Vict.* c. 6]

Union of Benefices Bill
(*Mr. Spencer Walpole, Viscount Sandon, Mr. William Henry Smith, Mr. Andrew Johnston*)
c. Re-comm *; Debate adjourned [Bill 92]

United States
Boundary of Alaska and British North America, Question, Mr. Eastwick; Answer, Viscount Enfield *May* 5, 1487
Payment of the Geneva Award, Question, Mr. Vernon Harcourt; Answer, Mr. Gladstone *Mar* 24, 17

University Fellowships (Compensation) Bill
c. Motion for Leave (*Mr. Auberon Herbert*) *April* 22, 801; after short debate, Question put; A. 81, N. 107; M. 26

University Tests (Dublin) Bill [Bill 12]
(*Mr. Fawcett, Dr. Lyon Playfair, Mr. Plunket*)
c. *Material Alterations in Bill—Rules of the House*, Question, Observations, Mr. Callan; Reply, Mr. Fawcett *Mar* 28, 300
Mr. Speaker declares the Rules of the House in respect of material alterations of a Bill after presentation, 303
Question, "That the Order of the Day for the Second Reading of the Bill on Wednesday next be read and discharged," put, and agreed to; Order read, and discharged; Bill withdrawn
Moved, "That leave be given to present another Bill instead thereof" (*Mr. Fawcett*); after short debate, Moved, "That the debate be now adjourned" (*Mr. Downing*); after further short debate, Motion put, and negatived; original Question put, and agreed to

University Tests (Dublin) (No. 2) Bill
c. Read 1° * *Mar* 28 [Bill 109]
Bill withdrawn * *April* 2

University Tests (Dublin) (No. 3) Bill
(*Mr. Fawcett, Dr. Lyon Playfair, Mr. Plunket, Viscount Crichton*)
c. Moved, "That this House will immediately resolve itself into a Committee to consider the abolition of Tests in Trinity College and the University of Dublin" (*Mr. Fawcett*) *April* 2, 505; Motion agreed to
Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Fawcett*); Debate adjourned
Debate resumed *April* 3, 598; Question put, and agreed to; Matter considered in Committee; Resolution agreed to; Bill ordered; read 1° * [Bill 124]
Moved, "That the Bill be now read 2°" *April* 21, 727
Amendt. to leave out from "That," and add "this House fully recognises the importance of an early settlement of the question of [*cont.*

University Tests (Dublin) (No. 3) Bill—cont.
University Education in Ireland, but is of opinion that such legislation could be more satisfactorily entered upon after the House has been put into possession of full information as to the opinions and wishes of the several Academic Bodies existing in Ireland, and of the Irish people generally, especially of the classes practically interested in the question, by means of a Royal Commission, with instructions to take evidence and report before the opening of the next Session of Parliament" (*Mr. Mitchell Henry*) *v.* 732; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn; main Question put, and agreed to; Bill read 2°
Order for Committee read *May* 5, 1520
Moved, "That it be an Instruction to the Committee, that they have power to provide for the establishment, as a College of the University of Dublin, of the institution known as the Catholic University" (*Mr. P. J. Smyth*); after debate, Question put; A. 9, N. 85; M. 19; Committee; Report
Considered * *May* 7
Read 3° * *May* 8
l. Read 1ª * (*Lord Cairns*) *May* 9 (No. 103)
Bill read 2ª, after long debate *May* 13, 1849
Committee *; Report *May* 15

Vagrants Law Amendment Bill
(*Mr. Pease, Mr. Wharton*)
c. Ordered; read 1° * *April* 2 [Bill 120]
Read 2° * *April* 7
Committee *; Report *April* 30 [Bill 143]
Re-comm.*; Report *May* 5
Read 3° * *May* 7
l. Read 1ª * (*Earl of Feversham*) *May* 8 (No. 98)
Bill read 2ª, after short debate *May* 15, 2011

Valuation Bill
(*Mr. Stansfeld, Mr. Secretary Bruce, Mr. Goschen, Mr. Hibbert*)
c. Motion for Leave (*Mr. Stansfeld*) *May* 5, 1509; Bill ordered, after debate; read 1° * [Bill 147]

Valuation Department (Ireland)
Moved, "That the present constitution of the Irish Valuation Department is unsatisfactory, and that it is desirable that an experienced and competent officer be placed at its head" (*The O'Conor Don*) *April* 1, 422; after debate, Question put, and negatived

VANCE, Mr. J., *Armagh City*
Coroners (Ireland), 1490
Election of Representative Peers (Scotland and Ireland), 313
Juries (Ireland) Acts, 9
Valuation Department (Ireland), Res. 432

Venus, Transit of
Question Sir John Lubbock; Answer, Mr. Goschen *Mar* 25, 110

Victoria Embankment (Somerset House) Bill (*The Duke of St. Albans*)
l. Committee *; Report *Mar* 25 (No. 28)
Read 3ª * *Mar* 27
Royal Assent *Mar* 29 [36 *Vict.* c. 4]

VIVIAN, Mr. H. Hussey, *Glamorganshire*
Currency—Bank Act, Res. 152
Mercantile Marine — Cardiff Magistrates — Mr. Plimsoll, 1682

WALPOLE, Right Hon. Spencer H., *Cambridge University*
Endowed Schools Commissioners — Emanuel Hospital Scheme, Motion for an Address, 1938
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 13, 1692
Supply—British Museum, 1794, 1795

WATNEY, Mr. J., *Surrey, E.*
Post Office Savings Banks — Investment of Deposits, 1718
Railways—Communication between Passengers and Guards, 1711

WAYS AND MEANS
MISCELLANEOUS QUESTIONS
Customs — Tobacco — (Unpaid Duties), Question, Mr. Barnett; Answer, Mr. Baxter *May* 8, 1677
The Dog Licence, Question, Mr. Ridley; Answer, The Chancellor of the Exchequer *April* 3, 525
Sugar Duties—International Conference, 1864, Question, Mr. Grieve; Answer, The Chancellor of the Exchequer *Mar* 31, 347; *April* 3, 527; Questions, Mr. Stephen Cave, Mr. J. B. Smith; Answers, The Chancellor of the Exchequer *May* 9, 1717
Committee of Ways and Means—The Sugar Duties Resolutions, Questions, Mr. Hunt; Answers, Mr. Baxter, Mr. Gladstone *April* 22, 801

WAYS AND MEANS
Considered in Committee *April* 7, 654 — Financial Statement of the Chancellor of the Exchequer on moving the First Resolution, "That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-three, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):
For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Three Pence;
And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,
For every Twenty Shillings of the annual value thereof;
In England, the Rate or Duty of One Penny Halfpenny; and
In Scotland and Ireland respectively, the Rate or Duty of One Penny Farthing;

[*cont.*

Ways and Means—*cont.*
Subject to the provisions contained in section twelve of the Act of thirty-fifth and thirty-sixth Victoria, chapter twenty, for the exemption of Persons whose whole Income from every source is under One Hundred Pounds a-year, and relief of those whose Income is under Three Hundred Pounds a-year"
After long debate, Resolution agreed to; other Resolutions moved, and agreed to
Resolutions reported *April* 24, 905
Moved, "That the Resolutions be now read a second time"
Amendt. to leave out from "That," and add in the opinion of this House, the Brewers' Licence Duty is unfair and oppressive in its operation, and should have been considered by the Government in the remission of Taxation" (*Sir Henry Selwin-Ibbetson*) *v.*; Question proposed, "That the words &c.;" after debate, Amendt. withdrawn; original Question put, and agreed to
First Resolution (Income and Property Tax) agreed to
Second, Third, and Fourth Resolutions (Sugar Duties) read a second time, and re-committed
Fifth Resolution (Tea Duty) and Sixth Resolution (£1,600,000 Exchequer Bonds) agreed to
Seventh Resolution (Payment of Exchequer Bonds), 920; after debate, agreed to
Eighth Resolution (Interest of Exchequer Bonds), agreed to
Moved, "That the House do now resolve itself into the Committee of Ways and Means" 921; after long debate, Motion agreed to
Ways and Means considered in Committee—Second, Third, and Fourth Resolutions (Sugar Duties) moved (on re-comm.), and, after debate, withdrawn
Then other Resolutions moved in lieu thereof, and agreed to
Resolutions reported *April* 28, 1030
Moved, "That the said Resolutions be now read a second time"
Amendt. to leave out from "That," and add "before deciding on the further reduction of indirect taxation, it is desirable that the House should be put in possession of the views of the Government with reference to the maintenance and the adjustment of direct taxation, both imperial and local" (*Mr. W. H. Smith*) *v.*; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Stephen Cave*); Motion agreed to; Debate adjourned
Debate resumed *May* 1, 1300; after long debate, Question put, and agreed to; main Question put, and agreed to; Resolutions read a second time, and agreed to

Wedderburn, Sir D., *Ayrshire, S.*
Army—India—Majors of Artillery, 1404
*East India (Financial Statement), Res. 408
France—Passports, 602
Master of the Rolls, Office of, 647
Permissive Prohibitory Liquor, 2R. 1653
Sheriffs Substitute (Scotland), 523
Supply—Household of the Lord Lieutenant of Ireland, 1457
University Tests (Dublin) (No. 3), Comm. *cl.* 3, 1533

Weguelin, Mr. T. M., *Wolverhampton*
Currency—Bank Act, 154

West, Mr. H. W., *Ipswich*
Supply—Court of Chancery, 1773
Law Officers, &c. 1771

Whalley, Mr. G. H., *Peterborough*
Railway and Canal Traffic, 3R. 1108
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 13, 1693
Supply—Bankruptcy Court, London, 1775
Courts of Probate and Divorce, &c. 1776
Household of the Lord Lieutenant of Ireland, 1456
Superior Courts of Common Law, Motion for reporting Progress, 1775
Tichborne Case, 1294, 1485, 1486, 1681, 1682
Ways and Means—Financial Statement, Comm. 696

Wharton, Mr. J. L., *Durham*
Criminal Law — Shropshire Magistrates — Whitefoot, George, Case of, 1770
Register for Parliamentary and Municipal Electors, Comm. 292
Supply—Criminal Prosecutions at Assizes, &c. 1772

Wheelhouse, Mr. W. St. James, *Leeds*
Permissive Prohibitory Liquor, 2R. Amendt. 1622
Register for Parliamentary and Municipal Electors, Re-comm. *cl.* 4, 796
Supply—Metropolitan Police Courts, 791
Ways and Means, Comm. 945; Report, 1077

Whitbread, Mr. S., *Bedford*
Ways and Means, Report, 915

White, Mr. J., *Brighton*
Ways and Means—Financial Statement, Comm. 670, 1327

Whitwell, Mr. J., *Kendal*
Juries, Comm. *cl.* 1, 2072
Permissive Prohibitory Liquor, 2R. 1656
Superannuation Act Amendment, Comm. 1702; *cl.* 1, 1706
Supply—New Courts of Justice, &c. 792
Public Departments, 779
Superannuation Allowances, 1814
Tonnage Duties, &c. 1813

Wild Birds Protection
Moved, "That a Select Committee be appointed, with power to take evidence, to inquire into the advisability of extending the protection of a close season to certain Wild Birds not included in the Wild Birds Preservation Act of 1872" (*Mr. Auberon Herbert*) *April* 29, 1187
After short debate, Amendt. to leave out "extending the protection of a close season to certain Wild Birds not included in," and insert "amending" (*Mr. Stuart Parker*) *v.*; Question, "That the words, &c.," put, and agreed to; main Question put; A. 162, N. 16; M. 146; Select Committee appointed; List of the Committee, 1190

WINCHESTER, Bishop of
Registration of Births and Deaths, Comm. Amendt. 1666
Supreme Court of Judicature, 3R. 1479
Zanzibar—Sir Bartle Frere's Mission, Motion for Correspondence, 1781

WINGFIELD, Sir C. J., *Gravesend*
Army—Troop Horses (India), 603
Central Asia, Motion for an Address, 848
East India (Financial Statement), Res. Amendt. 411
India—Railway Gauge, 637;—Punjaub Lines, 1028
India—Euphrates Valley Railway, Res. 617
Slave Trade—Zanzibar, 603

WINTERBOTHAM, Mr. H. S. P. (Under Secretary of State, Home Department), *Stroud*
Building Societies (No. 2), Leave, 1190
Ireland—Belfast Assizes—M'Aleese, Mr., Case of, 650
Merchant Shipping Act—"Maggie," The, 650
Metropolitan Police — Goodchild, Constable, 643
Salmon Fisheries Commissioners, 3R. 88, 89

Women's Disabilities Bill [Bill 17]
(*Mr. Jacob Bright, Dr. Lyon Playfair, Mr. Eastwick*)
c. Moved, "That the Bill be now read 2°" *April* 30, 1194
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Bouverie*), 1214; after debate, Question put, "That 'now,' &c.;" A. 155, N. 222; M. 67; words added; main Question, as amended, put, and agreed to; Bill put off for six months

Woods and Forests Bill—*See* **Crown Lands Bill**

WOODS, Mr. H., *Wigan*
Railway and Canal Companies—Joint Committee, 1486
Railway and Canal Traffic, Comm. *cl.* 10, 377; *cl.* 11, 384; *cl.* 33, 595

Workshops Act
Observations, Resolution, Mr. C. Dalrymple; Reply, Mr. Bruce; debate thereon *April* 25, 991

WYNDHAM, Hon. P. S., *Cumberland, W.*
Canada, Dominion of—Fisheries, 2018
Treaty of Washington, 1442, 1449

YORK, Archbishop of
Supreme Court of Judicature, 3R. 1479

YOUNG, Mr. A. W., *Helston*
Juries, Comm. *cl.* 1, Amendt. 2072

Zanzibar, Slave Trade at
Question, Sir Charles Wingfield; Answer, Viscount Enfield *April* 4, 603

Zanzibar—Sir Bartle Frere's Mission
Moved that an humble Address be presented to Her Majesty for, Copies of the correspondence between the British and French Governments on the Mission of Sir Bartle Frere to Zanzibar; of the Instructions given to Sir Bartle Frere; and of his subsequent despatches (*The Lord Stratheden*) *May* 12, 1779; after short debate, Motion withdrawn

ERRATA.

In page 583, line 29 from bottom, *for* "155 tons," *read* "87 tons."

In page 584, line 24 from top, *for* "44," *read* "43."

In page 584, line 26 from top, *for* "56," *read* "$55\frac{1}{2}$."

In page 584, line 29 from top, *for* "56," *read* "$55\frac{1}{2}$."

The passage from Livy, quoted by Sir John Trelawny, p. 1257, should read—"Matronæ nullâ nec auctoritate, nec verecundiâ, nec imperio virorum continere limine poterant. . . . . . Atque ego vix statuere apud animum meum possum utrum pejor ipsa res est an pejore exemplo agatur."

END OF VOLUME CCXV., AND SECOND VOLUME OF SESSION 1873.

LONDON: CORNELIUS BUCK, 23, PATERNOSTER ROW. E.C.

K 26 FEB 1970